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SCRANTON CITY COUNCIL MEETING

HELD:

Tuesday, May 24, 2011

LOCATION:

Council Chambers

Scranton City Hall

340 North Washington Avenue

Scranton, Pennsylvania

AMELIA NICOL - OFFICIAL COURT REPORTER

<p style="text-align: center;">2</p> <p>1 <u>CITY OF SCRANTON COUNCIL:</u></p> <p>2</p> <p>3 JANET EVANS, PRESIDENT</p> <p>4 PATRICK ROGAN, VICE-PRESIDENT</p> <p>5 ROBERT MCGOFF</p> <p>6 FRANK JOYCE</p> <p>7 JOHN LOSCOMBE</p> <p>8 NANCY KRAKE, CITY CLERK</p> <p>9 KATHY CARRERA, ASSISTANT CITY CLERK</p> <p>10 BOYD HUGHES, SOLICITOR</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: center;">4</p> <p>1 MS. EVANS: Roll call, please.</p> <p>2 MS. CARRERA: Mr. McGoff?</p> <p>3 MR. MCGOFF: Here.</p> <p>4 MS. CARRERA: Mr. Rogan?</p> <p>5 MR. ROGAN: Here.</p> <p>6 MS. CARRERA: Mr. Loscombe?</p> <p>7 MR. LOSCOMBE: Here.</p> <p>8 MS. CARRERA: Mr. Joyce?</p> <p>9 (No response.)</p> <p>10 MS. CARRERA: Mrs. Evans?</p> <p>11 MS. EVANS: Here.</p> <p>12 MS. EVANS: Dispense with the</p> <p>13 reading of the minutes, please.</p> <p>14 MS. KRAKE: 3A. AGENDA FOR THE</p> <p>15 CITY PLANNING COMMISSION MEETING HELD</p> <p>16 MAY 18, 2011.</p> <p>17 MS. EVANS: Are there any</p> <p>18 comments? If not received and filed.</p> <p>19 MS. KRAKE: 3B. APPLICATIONS</p> <p>20 ALONG WITH THE DECISIONS RENDERED BY</p> <p>21 THE ZONING HEARING BOARD ON WEDNESDAY</p> <p>22 MAY 11, 2011.</p> <p>23 MS. EVANS: Are there any</p> <p>24 comments? If not received and filed.</p> <p>25 MS. KRAKE: 3C. CONTROLLER'S</p>
<p style="text-align: center;">3</p> <p>1 (Pledge of Allegiance)</p> <p>2 MS. EVANS: Please remain</p> <p>3 standing for a moment of reflection</p> <p>4 for our servicemen and women</p> <p>5 throughout the world and for all those</p> <p>6 who have died in our community in the</p> <p>7 last week, particularly Dorothy A.</p> <p>8 Conway, beloved wife, mother, daughter</p> <p>9 and sister who courageously battled</p> <p>10 cancer for many years of her short</p> <p>11 life; my good friend, Vincent J.</p> <p>12 Hopkins, devoted husband, father,</p> <p>13 grandfather, brother and uncle, Navy</p> <p>14 veteran of World War II and retired</p> <p>15 Scranton firefighter who served our</p> <p>16 city bravely for 26 years and their</p> <p>17 dear family and many friends who</p> <p>18 suffer their loss. Also, please</p> <p>19 remember in your prayers my dear</p> <p>20 friend, Mr. Girard Mitchell, Sr., for</p> <p>21 a full recovery to good health and for</p> <p>22 Bob and Joan Koslosky, Jack Loscombe's</p> <p>23 father-in-law and mother-in-law for</p> <p>24 successful surgeries this week.</p> <p>25 (Moment of Silence.)</p>	<p style="text-align: center;">5</p> <p>1 REPORT FOR THE MONTH ENDING APRIL 30,</p> <p>2 2011.</p> <p>3 MS. EVANS: Are there any</p> <p>4 comments? If not, received and filed.</p> <p>5 MS. KRAKE: 3D. SCRANTON'S OFFICE</p> <p>6 OF ECONOMIC AND COMMUNITY</p> <p>7 DEVELOPMENT REPORTS FOR FEBRUARY,</p> <p>8 MARCH AND APRIL, 2011.</p> <p>9 MS. EVANS: Are there any</p> <p>10 comments? If not, received and filed.</p> <p>11 Are there any clerks notes?</p> <p>12 MS. KRAKE: We don't have any at</p> <p>13 this meeting, Mrs. Evans.</p> <p>14 MS. EVANS: Thank you. Do any</p> <p>15 council members have announcements at</p> <p>16 this time?</p> <p>17 MR. ROGAN: Just one. There will</p> <p>18 a Pig Roast at the Elm Park Church</p> <p>19 located at 712 Linden Street,</p> <p>20 Scranton, Pennsylvania, on June 18th,</p> <p>21 2011, at 1:00 p.m. The cost is \$10.</p> <p>22 For tickets you can call Jack</p> <p>23 Balvenhouser, 909-4974; Jason Miller,</p> <p>24 342-4794; or Brian Ross, 343-8076.</p> <p>25 MS. EVANS: Are there any other</p>

1 council members?

2 (No response.)

3 MS. EVANS: The Albright Memorial  
4 Library will conduct a fundraiser,  
5 Swingin' on the Vine this Friday, May  
6 27th from 5 to 8 p.m. in front of the  
7 library at 500 Vine Street.

8 (Mr. Joyce seats himself on  
9 council.)

10 MS. EVANS: Paul LaBelle and the  
11 Exact Change will be featured. Food  
12 will be provided by local restaurants  
13 and refreshments will include  
14 Margaritas, beer, soda and wine. You  
15 must be 21-years-old to attend the  
16 event. Tickets are \$15 in advance,  
17 \$20 at the door and are on sale at the  
18 Albright Memorial Library and the  
19 Nancy Kay Green Ridge Branch Library.  
20 Kick off the Memorial Day weekend with  
21 great music and delicious food in  
22 support of our local public library.  
23 If you cannot attend, please consider  
24 a donation to the Albright Memorial  
25 Library.

1 On Monday, May 30th we celebrate  
2 Memorial Day as a proud nation.  
3 Numerous services honoring our  
4 departed servicemen and women will be  
5 conducted throughout our community  
6 including at Nay Aug Park and Keyser  
7 Community Center in Scranton. I was  
8 encouraged to see increased volume of  
9 people in attendance at the Scranton  
10 Armed Forces Day Parade this past  
11 Saturday and I hope that many will  
12 also attend Memorial Day services, if  
13 possible. And that's it.

14 MS. KRAKE: FOURTH ORDER,  
15 CITIZENS PARTICIPATION.

16 MS. EVANS: Our first speaker  
17 this evening is Bob Bolus.

18 MR. BOLUS: Good evening,  
19 council. Bob Bolus, Scranton.

20 The one thing I'd like to do is  
21 congratulate the winners, Mr. McGoff  
22 and Mr. Loscombe. You did well. You  
23 surprised me a little bit but you know  
24 what, people speak, and you are what  
25 you are, your council people and I

1 believe the job should now get done as  
2 a unified council. What I would like  
3 to do today is take Mr. Loscombe up on  
4 his offer now that the election is  
5 over, we won't have any political  
6 grandstanding or anything here  
7 regarding my home on East Mountain and  
8 the issues that have taken place.

9 Today was one of the interesting  
10 days. As my vacated, abandoned  
11 uninhabitable home as it was deemed,  
12 as I was leaving my home today, I  
13 looked up in the woods and I see three  
14 people walking around, and I'm  
15 wondering like what are they doing up  
16 at the back of yard, way up in the  
17 back there. So I confronted them.  
18 They said, "Well, we're taking this  
19 iron." I said, "What do you mean  
20 you're taking iron here?" "Well,  
21 yeah, we saw the iron while we were on  
22 our ATVs and we're taking it." I aid,  
23 "You realize you're on private  
24 property." And they're going, "We  
25 didn't see any signs." I said, "Do

1 you own the property?" He goes, "No."  
2 I said, "Well, I do. Get off it." So  
3 I'm waiting for them -- they leave.  
4 They have bull cutters with them and  
5 everything else, a couple nap saks and  
6 they walk away and I'm thinking, you  
7 know, this just doesn't sound right.  
8 So I'm listening to see if they  
9 started up their ATVs and left. Well,  
10 I never heard a motor start. So a  
11 friend of mine was there and I said,  
12 "Let's take a ride over the other side  
13 of lake. I want to see where these  
14 guys are going to leave." Well, low  
15 and behold, the parking on other side  
16 by Robinson's Apartment, on the other  
17 lake side back into the woods is an  
18 SUV with a trailer loaded with iron  
19 and different products. So I  
20 confronted him. I blocked them in so  
21 they couldn't move. I called Scranton  
22 PD and told them that we had a  
23 situation up here, and I will commend  
24 the Scranton Police Department, they  
25 arrived without hesitation. One of

1 the individuals was taken into custody  
 2 with warrants for his arrest that were  
 3 outstanding and the other two were  
 4 charged with trespassing. And I find  
 5 it amusing. I'm home at my home and I  
 6 see what is going on but I'm not in my  
 7 home, remember, I'm supposed to be a  
 8 ghost. Mary Dunleavy, Joe Wexchler,  
 9 the Mustis, Slotterback and, of  
 10 course, Mr. Hartman who testifies that  
 11 he hasn't seen anybody in my house in  
 12 over two years. The other incidents  
 13 that the East Mountain Residents  
 14 Association to challenge my residency.  
 15 They put us through all this  
 16 aggravation we're going on. I would  
 17 like to know where the heck they were  
 18 today. All these people that condemn  
 19 me of not being around, where the heck  
 20 were they. When people walking around  
 21 with bull it could have been in their  
 22 home today that was robbed. Well, for  
 23 their information it's Bob Bolus that  
 24 saved their butts today. They didn't  
 25 save mine. I saved theirs. Because

1 we don't know what their intent would  
 2 have been or where this stuff came  
 3 from. Because this has been  
 4 publicized, the house is condemned,  
 5 they put me in jeopardy. And I thank  
 6 Paul Kelly because he's in the  
 7 pinnacle of all this. I tried sitting  
 8 down prior. It's not been done. It  
 9 started with containers, started with  
 10 trailers, it started what is this,  
 11 what is that. I made the trailers  
 12 into containers. Now, if they want to  
 13 challenge me which I hope to God they  
 14 do, every container in this city will  
 15 be removed, not only ours, everybody's  
 16 because, remember, a container gets  
 17 there on a chaise with wheels; and  
 18 when it's separated from the chaise,  
 19 it's no different than what we have.  
 20 They can continue to play their games,  
 21 they can completely ignore the law.  
 22 Hartman built on city owned property,  
 23 16 and a half acres, he doesn't belong  
 24 there. Yeah, wasn't he in the paper  
 25 who shot his big mouth off that it's

1 time the city becomes aggressive.  
 2 He's absolutely right. The time is  
 3 now to be aggressive. Let's get it  
 4 done and let's straighten out. Let's  
 5 find out why he's built his house in  
 6 an illegal subdivision, broke the law,  
 7 knew darn right before he built his  
 8 house in an it was illegal when he was  
 9 doing it yet but because of his  
 10 political connections, he went ahead  
 11 and did what he felt like doing. He's  
 12 created a problem, he's ignored  
 13 everybody else, he has a truck parked  
 14 there, it's been parked there over a  
 15 year, a dump truck. I went to see  
 16 Wallace about it and he goes, "I can't  
 17 talk to you. We're in litigation." I  
 18 said, "You had nothing to do in  
 19 litigation regarding that truck. We  
 20 sent you a written asking you what's  
 21 going on with it. Well, he ignored it  
 22 hiding behind this bailiwick of  
 23 litigation. He has nothing to do with  
 24 that. Your job is to represent the  
 25 citizens of this city whether you like

1 it or you don't, and that's the  
 2 problem we have here, and I'm asking  
 3 council tonight to please intervene.  
 4 I want this over more than anybody. I  
 5 still live in my house whether they  
 6 like it, I'm saying it publicly. It's  
 7 my home and until you prove beyond a  
 8 reasonable doubt and abide by the law,  
 9 Mr. Kelly, that my house is abandoned,  
 10 vacate or uninhabitable, I will see  
 11 you in court and I will take them all  
 12 the way. But this should be resolved  
 13 and I believe council right now to  
 14 make everybody accountable act as the  
 15 mediator and let's get this resolved.  
 16 MS. EVANS: Thank you, Mr. Bolus.  
 17 MR. BOLUS: Okay? And, again,  
 18 thanks to the Scranton Police  
 19 Department because we thought we were  
 20 going to have a confrontation there.  
 21 Thank you.  
 22 MS. EVANS: Thank you. Andy  
 23 Sbaraglia.  
 24 MR. SBARAGLIA: Andy Sbaraglia,  
 25 citizen of Scranton, Fellow

1 Scrantonian. I see Northeast  
2 Associates are back on the agenda.  
3 Your 5C to enter a professional  
4 service contract with Northeast  
5 Revenue Services. Isn't that the same  
6 group that used to be up there in West  
7 Side, Keyser Valley.

8 MS. EVANS: No. That was  
9 Northeast Credit and Collection. I  
10 think this is --

11 MR. SBARAGLIA: And this is a  
12 different group?

13 MS. EVANS: This is a different  
14 group. I believe they may be located  
15 in Wilkes-Barre.

16 MR. SBARAGLIA: No  
17 interconnection between that other  
18 group and this one?

19 MS. EVANS: Pardon?

20 MR. SBARAGLIA: No  
21 interconnections for the people that  
22 served with Northeast and its  
23 associate board with this one?

24 MS. EVANS: Not that I am aware  
25 of.

1 MR. SBARAGLIA: Was an FRP  
2 requested? Did you request and FRP on  
3 this?

4 MS. EVANS: FRP?

5 MR. SBARAGLIA: Yes.

6 MS. EVANS: I believe there was.  
7 It wasn't requested by us because  
8 obviously it's the SRA that was  
9 declared in default by Pennstar Bank  
10 but I believe it was issued and this  
11 was the lowest responsible bid.

12 MR. SBARAGLIA: How did the SRA  
13 get our delinquent loans again? Is  
14 this ever ending with that first time  
15 that you passed it?

16 MS. EVANS: This goes back  
17 several years.

18 MR. SBARAGLIA: In other words,  
19 that first council that was in tune  
20 with the mayor's absence, now we have  
21 to live with it for the rest of our  
22 lives.

23 MR. EVANS: Well, actually I  
24 think the situation was that the city  
25 sold delinquent taxes for -- it might

1 have been a two-year period to the  
2 Scranton Redevelopment Authority. In  
3 turn, the Scranton Redevelopment  
4 Authority took out a loan from  
5 Pennstar Bank to make that purchase of  
6 the delinquent taxes from the city and  
7 somewhere involved in all of this was  
8 Municipal Revenue Services who then, I  
9 believe, may have purchased them from  
10 the SRA and NCC was like a  
11 subcontractor with Municipal Revenue  
12 services but it's a -- let's put it  
13 this way. It was a bad deal from the  
14 get go. From the moment the ink dried  
15 on his signature because the amounts  
16 purported to be collected were  
17 impossible to collect and, you know,  
18 it seems that either the bank or the  
19 SRA should certainly have been aware  
20 of that, that you cannot collect --  
21 that you cannot reasonable expect to  
22 collect that amount of delinquent  
23 taxes. And so it was really I would  
24 say the deal was doomed to failure  
25 from the time of the signing.

1 MR. SBARAGLIA: I understand  
2 that. The question is, how did the  
3 SRA continue to have our delinquent  
4 fees if we only gave a contract for  
5 two years?

6 MS. EVANS: They would still have  
7 been collecting them -- well, NCC  
8 would have been collecting on those  
9 years.

10 MR. SBARAGLIA: That's something  
11 like 2004, what's in there, 2004,  
12 2005, 2006, 2007, 2008, that's quite a  
13 few years instead of two.

14 MS. EVANS: Well, I think what  
15 they might be doing, I'm not quite  
16 sure. Actually our attorney is going  
17 to be discussing this under motions  
18 this evening at length. But they may,  
19 in fact, be adding additional years to  
20 this, meaning that they're including  
21 not only those years that were  
22 contracted to be collected previously,  
23 but they are now looking to add  
24 additional years to that. I think it  
25 might be 2007, 2008, for example.

18

1 MR. SBARAGLIA: Oh, yeah, there's  
 2 quite a few all the way back from  
 3 2004.  
 4 MS. EVANS: Yes. That would have  
 5 been with the original agreement, that  
 6 might have involved MRS --  
 7 MR. SBARAGLIA: 2004, 2005, 2006,  
 8 2007 and 2008.  
 9 MS. EVANS: I believe they've  
 10 added additional years to this new  
 11 agreement for the new collection  
 12 agency to collect.  
 13 MR. SBARAGLIA: But they do need  
 14 your approval?  
 15 MS. EVANS: Yes.  
 16 MR. SBARAGLIA: Okay. Let's go  
 17 onto -- where are the deeds to the  
 18 library?  
 19 MS. EVANS: Can you say that  
 20 again?  
 21 MR. SBARAGLIA: Where are the  
 22 deeds to the library? They were  
 23 transferred to the Library Authority.  
 24 Do they now have been returned to the  
 25 city?

19

1 MS. EVANS: They were never  
 2 returned to the city.  
 3 MR. SBARAGLIA: Why not?  
 4 MS. EVANS: Because the mayor who  
 5 should be enforcing the ordinance has  
 6 not done so. He did not require the  
 7 Library Authority to return the deeds  
 8 to the city.  
 9 MR. SBARAGLIA: Don't you think  
 10 he should take action to see that this  
 11 property is returned to the city?  
 12 MS. EVANS: I can defer to  
 13 Solicitor Hughes on this?  
 14 MR. HUGHES: Council cannot file  
 15 a lawsuit to have those deeds returned  
 16 to the city. The administrator --  
 17 the authority has been -- council took  
 18 action to dissolve the authority,  
 19 overwrote the mayor's veto. It's up  
 20 to the mayor to enforce that. The  
 21 deeds are recorded after council took  
 22 action to dissolve the authority.  
 23 They were with the authority, the  
 24 authority then recorded an affidavit of  
 25 dissolution. We filed articles of

20

1 dissolution with the Commonwealth of  
 2 Pennsylvania, however, they have to be  
 3 filed by the authority. It's up to  
 4 the mayor to bring that action to  
 5 dissolve the authority and to compel  
 6 the deeds to be retransferred -- for  
 7 it to be transferred to the city.  
 8 Council can't too anything with it  
 9 other than take the action that we  
 10 have.  
 11 MR. SBARAGLIA: But you can cite  
 12 the mayor?  
 13 MR. HUGHES: Well, I don't see  
 14 how we can cite the mayor.  
 15 MR. SBARAGLIA: Sure, you can  
 16 cite him. Why not? You're a  
 17 legislative branch. You can cite him.  
 18 They went down here and cited poor  
 19 Connors down in Harrisburg and I'm  
 20 sure if they can do that, we can do  
 21 with this. This is actually holding  
 22 property that belongs to the people of  
 23 Scranton. And it's up to every  
 24 Scrantonian to demand our property be  
 25 given back to us.

21

1 Now, let's move to the West Side  
 2 pool. You read the notice in the  
 3 paper that he plans to not open the  
 4 West Side pool, Novembrino pool to  
 5 these people. Okay. You know, how  
 6 many -- the population of West Side is  
 7 the most populated area in Scranton.  
 8 We have two people or three that live  
 9 up in West Side. I know you have two  
 10 councilmen that live up there. I'm  
 11 familiar with Mr. Joyce, you live in  
 12 West Side.  
 13 MR. ROGAN: That's correct.  
 14 MR. SBARAGLIA: And you have  
 15 three of you's up there. I would  
 16 demand it. I mean, what does he want  
 17 to do that requires the pool not be  
 18 open and why can't the work be done in  
 19 the fall or I know the money didn't  
 20 come in yet, but why couldn't the work  
 21 be done on this pool in the fall or  
 22 late August and let them kids use that  
 23 pool. Nay Aug is a pool where they  
 24 have to pay and for the paper to even  
 25 put that in with that is a crying

1 shame. I mean, you have to pay four  
2 bucks to swim up at Nay Aug unless  
3 they're going to give free swimming up  
4 there until West Side pool opens.  
5 Look into it. Fight them tool and  
6 nail.

7 MS. EVANS: Thank you, Mr.  
8 Sbaraglia. Les Spindler.

9 MR. SPINDLER: Good evening,  
10 Council. Les Spindler, city resident,  
11 homeowner and taxpayer. Two weeks ago  
12 when I was here I talked about the  
13 federal civil rights lawsuit against  
14 Gene Duffy and several other police  
15 officers. That Sunday after that  
16 meeting and the goal of the Lackawanna  
17 newspaper, they ran a story on that  
18 subject. It's says Sue Tart against  
19 Duffy and officers in 2010 incident.  
20 It's funny how you hear nothing about  
21 this in the Doherty newsletter, a/k/a  
22 Times Tribune. They don't want to  
23 tarnish Super Cop Duffy's name. He  
24 might have done something bad. What  
25 he did to these people was just

1 disgusting and I know I gave a copy to  
2 each council person and I hope  
3 everybody reads this because it's  
4 terrible what happened to these two  
5 people. As I stated before, they  
6 weren't allowed to use their cell  
7 phones, they were locked in the cell  
8 for hours upon hours, not allowed to  
9 go to the bathroom, illegally stripped  
10 searched because they weren't arrested  
11 and you don't hear one bit about this  
12 in the Doherty newsletter. God forbid  
13 they print something negative about  
14 Chris Doherty's pride appointee but,  
15 you know what, some people still think  
16 this man can walk on water, and I  
17 think Mr. McGoff is one of them. But  
18 after this case goes to trial, he's  
19 going to sink like a rock. Moving on.

20 This article in the paper a few  
21 days about the parking meters. Again,  
22 I've spoken about this before.  
23 There's no doubt that there's a soul  
24 source on this even though Mr. McGoff  
25 doesn't believe this. I guess he

1 doesn't know what a soul source is.  
2 The mayor himself said that the people  
3 putting bids on this are similar to  
4 Street Smart, not exact. This never  
5 should have gone to bid. Street Smart  
6 should have been in service months and  
7 months ago. This is just the  
8 administration dragging their feet,  
9 depriving the city of bringing money  
10 in and it's just a darn shame.

11 MS. EVANS: I just wanted to add  
12 something to your comments. When the  
13 trial period was instituted within the  
14 City of Wilkes-Barre, there were no  
15 RFPs issued for a trial period.  
16 Wilkes-Barre simply made the agreement  
17 with Street Smart to begin the trial  
18 period, and I believe that they're  
19 still in the mist of that trial. I  
20 think the manner in which the City of  
21 Scranton has approached this has been  
22 very unusual in that other cities have  
23 not approached it in the same way.  
24 They seem to have moved ahead very  
25 quickly, and as a result, are enjoying

1 increased revenues within their  
2 cities.

3 Mr. SPINDLER. Absolutely. And  
4 that's just more proof about how this  
5 administration is dragging their feet.  
6 And, again, in the Doherty newsletter  
7 the blame always goes back to city  
8 council which is a crying shame  
9 because this council in my ten years  
10 of coming here is the best one that  
11 I've ever talked before.

12 Lastly, an article about the  
13 election. And I want to read a quote  
14 by Mr. McGoff. And I quote, "To me it  
15 vindicates what I do," Mr. McGoff  
16 said. "A good portion of the  
17 residents of the City of Scranton  
18 appreciate what I do." Well, maybe if  
19 they saw on TV what we see here, Mr.  
20 McGoff, you pay no attention at all to  
21 the speakers, disrespecting them,  
22 maybe they will feel a little  
23 differently, you wouldn't get all the  
24 votes that you got. Maybe they'll  
25 change in November. And, again, Mr.

1 McGoff, "However noted that the  
 2 outcome of the primary election risks  
 3 a continuation of the status quo."  
 4 Well, in my opinion the status quo was  
 5 just fine. Because under you and all  
 6 the other Doherty puppets before this  
 7 council we had a 25 percent tax hike.  
 8 With this council we had a ten percent  
 9 tax cut. So I will take the status  
 10 quo, Mr. McGoff, not the rubber  
 11 stamped council that you were part of  
 12 before. Thank you for your time.

13 MS. EVANS: Thank you. Our next  
 14 speaker is Doug Miller.

15 MR. MILLER: Good evening,  
 16 council. Doug Miller, Scranton. I'd  
 17 just like to begin this evening by  
 18 commenting on a few of the agenda  
 19 items here, 5B through G. I was  
 20 curious to know if you're adhering to  
 21 your policy that you've instituted in  
 22 the past. I'm just curious to know if  
 23 you had received any resumes and cover  
 24 letters from these --

25 MS. EVANS: Yes, each individual

1 submitted a resume.

2 MR. MILLER: Okay. Very good.  
 3 Thank you.

4 MS. EVANS: You're welcome.

5 MR. MILLER: I'd like to begin  
 6 this evening by congratulating  
 7 Councilman Loscombe and McGoff on  
 8 their victories in last Tuesday's  
 9 primary election. I think it's safe  
 10 to say we can now throw the rubber  
 11 stamps away and we can continue to  
 12 move full speed ahead. I did take  
 13 notice this evening that none of the  
 14 candidates who sought office for  
 15 Scranton City Council are here in  
 16 attendance. And I'm troubled by this  
 17 because during the campaign, each  
 18 candidate raised issues, made  
 19 suggestions and argued why they were  
 20 the best candidate for the job. Now  
 21 that the election is behind us, it  
 22 seems as if these individuals don't  
 23 feel that their suggestions and  
 24 opinions matter anymore. And as a  
 25 result, I firmly believe that this is

1 a prime example of what I've been  
 2 asking myself for years now. Are  
 3 candidates seeking office for the  
 4 right reason? Why does it seem that  
 5 after each election season those who  
 6 aren't victorious go into hibernation  
 7 for four years and then come back  
 8 eager to serve the people? Why are  
 9 these individuals only passionate  
 10 about public service in our city  
 11 during elections? Now, I would just  
 12 like to ask the residents of this city  
 13 to just sit back for a moment and  
 14 think about that.

15 Moving onto another matter. I  
 16 would like to briefly touch how the  
 17 recent activity that has occurred in  
 18 South Side over the last few weeks.  
 19 I'm deeply concerned for the residents  
 20 and businesses who have been affected  
 21 by the deadly violence and a lot of  
 22 the drug activity that have occurred  
 23 over there. Unfortunately this  
 24 conduct has seriously jeopardized the  
 25 health, safety and wellbeing of the

1 South Side residents and businesses.  
 2 It upsets me that we can't provide the  
 3 protection that our citizens deserve  
 4 by providing additional police  
 5 officers on our streets. I can only  
 6 hope that these tragedies will open up  
 7 the administration's eyes and allow  
 8 them to understand that we can't  
 9 afford to remove any more officers  
 10 from our staff. The bottom line here  
 11 is really simple. It's not a secret.  
 12 We all know this. It's not a secret.  
 13 We all know this. We simply do not  
 14 have enough police officers and the  
 15 last thing we should be doing is  
 16 taking them off the streets. I'm  
 17 extremely confident that the majority  
 18 of this council will do their part to  
 19 insure that the residents and  
 20 businesses of South Side and the rest  
 21 of the city won't have to live in fear  
 22 of each day. The majority of council  
 23 has already proven that they are  
 24 committed to protecting our citizens  
 25 by restating the police officers and

1 firemen that would have been removed  
2 in the mayor's 2011 budget. I commend  
3 you for taking the health, safety and  
4 wellbeing of our citizens serious, and  
5 I hope the administration will follow  
6 your lead moving forward. Thank you.

7 MS. EVANS: Thank you, Mr.  
8 Miller. And Scott Thomas.

9 MR. THOMAS: I'm Scott Thomas  
10 from the Albright Memorial Library,  
11 and I'm not here to talk about the  
12 deeds or the authority. I'm here to  
13 talk the Swingin' on the Vine block  
14 party. Mrs. Evans, you did just a  
15 great job that I don't have much to  
16 add but I will say that it is a rain  
17 or shine event and given the weather  
18 lately that is a good thing to say.  
19 If it rains, we're going to just hold  
20 it inside the library. So it's going  
21 to happen no matter what. And tickets  
22 are also being sold on line at  
23 [www.albright.org](http://www.albright.org) so if you want to buy  
24 them online, you can.

25 And I think that's about it.

1 Also coming soon to the library we're  
2 going to have downloadable E-books and  
3 also the Lackawanna County Valley  
4 digital archives so you're going to be  
5 hearing more about these projects in  
6 the very near future and that's all I  
7 have. Thank you.

8 MS. EVANS: Thank you. I think  
9 maybe I will add, though, to what Mr.  
10 Thomas said to further encourage  
11 everyone to support this event. The  
12 library as some of you may be aware  
13 has undergone deep cuts in the state  
14 budget, not only this year what is  
15 proposed but in previous years, and it  
16 becomes increasingly difficult for the  
17 library to continue to operate at a  
18 level that is so beneficial to our  
19 community. And so if we can support  
20 the library in any way possible, it  
21 certainly behooves all of us to do so  
22 in whatever manner we can. If you  
23 can't attend this function, certainly  
24 I'm sure any size donation will be  
25 greatly appreciated by the Albright

1 Memorial Library. It does a wonderful  
2 job and it is most deserving of our  
3 support.

4 MR. THOMAS: Thank you, Mrs.  
5 Evans. And it will be a very good  
6 party so, you know, if you can attend,  
7 please do.

8 MS. EVANS: Thank you very much.  
9 Ron Ellman.

10 MR. ELLMAN: Hello, council.  
11 I've just got a couple things to say.  
12 I wanted to thank all those --  
13 actually the bunch of candidates that  
14 we had that didn't get office but  
15 there was some real good people that  
16 ran, and I hope they keep pursuing  
17 this. And somebody asked me if we got  
18 that land back at Nay Aug that was  
19 given to Lackawanna College. I  
20 thought it went back to the city,  
21 didn't it?

22 MS. EVANS: It never went to  
23 Lackawanna. That was in discussion  
24 and then Lackawanna College pulled out  
25 of the agreement and they are

1 constructing their science center  
2 elsewhere, so --

3 MR. ELLMAN: Well, I didn't know  
4 the legalities at all about that.

5 MS. EVANS: So that property  
6 remains in the city's hands.

7 MR. ELLMAN: I was tinkering with  
8 my car and my carburetor caught fire,  
9 my antique car. So I was squirting  
10 away with my fire extinguisher and it  
11 quit so then I ran in the house. This  
12 is just a little thing and phoned the  
13 Fire Department and they got right  
14 there in a couple minutes and I wanted  
15 to thank them. Just I don't know  
16 where they came from but they got  
17 there in about two minutes, I guess,  
18 but I almost had it out. But I think  
19 every automobile in the city should  
20 have to carry one of those little fire  
21 extinguishers but they surely help,  
22 you know. This was my fault, I guess.

23 Two weeks ago -- in the last week  
24 really in the paper was this article  
25 about the University of Scranton

1 commissioned a study. You remember a  
 2 couple months ago they said that 5,000  
 3 students were spending about a \$100 a  
 4 piece. Well, they seem to be error  
 5 because this is the same study it says  
 6 it's been going on a year, it said  
 7 that they were generating 400 million  
 8 which is 16 times as much as they  
 9 thought which that's \$1,600 a week a  
 10 student, you know. This is phenomenal  
 11 according to them. We should all be  
 12 elated to have a windfall like this  
 13 because 20, 30 percent should come to  
 14 the city as taxes, I guess, and you  
 15 take in -- they have to be another  
 16 couple thousand with the other three  
 17 universities, this is just a windfall  
 18 of money, you know. I just can't  
 19 figure out where it is, neither can  
 20 anyone else. Why are we having such a  
 21 problem when we got five, 6,000  
 22 students spending \$1,600 a piece  
 23 according to them. Well, part of it  
 24 they say it's downtown, the developing  
 25 downtown which means Mr. Rinaldi and

1 some of these other business people,  
 2 they don't seem to -- they think  
 3 they're ordained by God not to pay  
 4 taxes to the city. So it seems like  
 5 you five people should just hang your  
 6 head in shame asking these  
 7 universities for anything. With all  
 8 this income, this hundreds of millions  
 9 of dollars out there, we should be  
 10 paying them to keep these students  
 11 coming like this. It can turn into a  
 12 tremendous business.

13 And I got one other thing. Last  
 14 week Lackawanna Neighbors which is  
 15 about as phony an organization as  
 16 there is selling a piece of property  
 17 for 99,000 on Prospect. It hadn't  
 18 been put on tax rolls. This is what  
 19 we talked about one time about these  
 20 pieces of property that are bought  
 21 like churches and all are never put  
 22 back on the tax rolls. And I'd like  
 23 to know about this 99,000, I was told  
 24 it's none of my business, but it's  
 25 supposed to go right back to

1 Lackawanna Neighbors. It's not  
 2 supposed to be spent anywhere else  
 3 according to the bylaws. See, there's  
 4 just no enforcement to anything like  
 5 this. And the taxpayer is the one  
 6 that is always losing.

7 You know, talking about fire  
 8 extinguishers, did you ever look at  
 9 that fire extinguisher out in the  
 10 hall? You know, it's serviced by a  
 11 guy in Pittston. We've got companies  
 12 here in town. They should be  
 13 servicing that, not somebody in  
 14 Pittston. And I have nothing in the  
 15 world to do with anybody in town, but  
 16 I'm just saying we ought to keep our  
 17 money in town. That's all, you know.  
 18 It's not helping in Pittston. Thank  
 19 you.

20 MR. LOSCOMBE: Thank you, Ron.

21 MS. EVANS: Thank you, Mr.  
 22 Ellman. Dave Dobrzyn.

23 MR. DOBRZYN: Good evening, Dave  
 24 Dobrzyn, resident of Scranton.  
 25 I'd also at a risk of sounding

1 like a golden parrott on 5C echoing  
 2 Andy's concerns, do whatever you can  
 3 to keep it fair. Nothing like NCC.  
 4 Do as much as you can because once  
 5 these contracts get signed, they're --  
 6 it just snowballs into a thing where  
 7 you can never seem to get out from  
 8 under it no matter how hard you try.  
 9 And everybody that gets elected to  
 10 office lives with a legacy and that's  
 11 the last guy that was in office, so.  
 12 But whatever you can do to keep them  
 13 fair and reasonable, please, do so  
 14 within your power.

15 With the issues in South Side,  
 16 they seem to have done a pretty good  
 17 job at cleaning things out but  
 18 something we all have to keep in mind  
 19 is that whether anybody else is hiring  
 20 that guy on the corner, he's always  
 21 looking for a replacement for the push  
 22 most that wind up in prison for years.  
 23 So I don't want to blame Mayor  
 24 Doherty, I don't want to blame  
 25 council, but when it gets to the top

1 of the pile like the U.S. Chamber of  
2 Congress throwing seminars on how to  
3 move to China, well, that's just  
4 wonderful but something they better  
5 keep in mind as they might want a  
6 country to live in some day.

7 And I'd also like to echo a  
8 concern with the library. Do what you  
9 can people out there in TV land if you  
10 give them five bucks to help. Last  
11 year I beat Uncle Sam out of quite a  
12 bit of taxes when I whipped out a few  
13 receipts for charity so it's a good  
14 investment. There you go. All right.

15 And it's time for -- oh, the  
16 meters. Anything we can do to get  
17 that Street Smart implemented would be  
18 just great. I'm sure you people have  
19 been working diligently on it and  
20 somebody wants to hold up the parade  
21 for whatever reason.

22 And I'd like to mention that a  
23 few days ago I was at the library and  
24 I spent a little time there picking  
25 out some new items that I wanted

1 charge out and I ran out of time on  
2 the meter so I bought a token there,  
3 dropped it in the meter and I didn't  
4 get any time for it. So they should  
5 check out their tokens, you know, that  
6 -- because there was -- the only other  
7 prerogative was I just drove away and  
8 came down here. I wanted to pay my  
9 garbage bill but I decided not to walk  
10 but there again if you buy a token, it  
11 should work, and all I had left was a  
12 20 in my pocket. So there you go for  
13 a real hoopla for what.

14 Now it's time to me for the  
15 golden parrot. You know, a lot of  
16 people that get elected to different  
17 post and offices within their parties  
18 or in Washington, they think they  
19 should provide leadership, and I  
20 always thought it was the House of  
21 Representatives, and I always thought  
22 that maybe somebody in the Democratic  
23 party who picks his candidates and  
24 decides who to support and who not to  
25 support. It's probably -- really

1 should be supporting somebody that's a  
2 viable incumbent. It would be much  
3 better. We have a hoopla with the  
4 county within the Democratic party,  
5 two guys beat each other to death, who  
6 knows what will come of it, and we  
7 have a councilman that was not  
8 supported that's going to be running  
9 this fall. So, Harry McGrath, you get  
10 the golden parrot, kwak, kwak. Have a  
11 good night.

12 MS. EVANS: Is there anyone else  
13 who cares to address city council?

14 MR. MORGAN: Good evening,  
15 council you know, I'd like to after  
16 listening to a couple previous  
17 speakers here and I know a couple of  
18 them had some very valid points. I  
19 think Mr. Miller's points were on  
20 point talking about people running for  
21 office. You know, I think that  
22 Andy's -- a lot of statements that  
23 Andy Sbaraglia had to say had a lot of  
24 merit to them. And I guess everybody  
25 is happy that the primary is over but,

1 you know, things just really haven't  
2 changed here very much. I personally  
3 think that one of our major problems  
4 from reading the newspapers, the 47  
5 percent rate increase the Scranton  
6 Sewer Authority is thinking about  
7 levying in April. And I just don't  
8 know where this city is going. You  
9 know, I was going to do a right to  
10 know in regards to council's allegedly  
11 losing authority with any oversight on  
12 the Scranton Sewer Authority. That  
13 issue has come here before council,  
14 and I would like to have a lot more  
15 information in regards to that. But,  
16 you know, it's just my opinion that I  
17 agree with what previous speakers have  
18 said in regards to loss of fire and  
19 police protection and DPW and  
20 clerical. I mean, we've got some real  
21 problems here. I just don't think  
22 that the answers are raising more  
23 revenue. I can't say that I agree  
24 with the parking meter theory. I just  
25 don't see that, where that is going to

1 take us. I think that it's pretty  
 2 obvious from looking at the way the  
 3 city is at this point that there's an  
 4 awful lot of abandoned homes in the  
 5 city, there's a lot of condemned homes  
 6 in the city. I just -- you know, I  
 7 watched the debates of the Democratic  
 8 candidates for Scranton City Council.  
 9 I thought it was a wonderful thing,  
 10 but I just think that we need to find  
 11 a new avenue of approach here and, you  
 12 know, I can't make judgments on what  
 13 the newspaper sees or what people see  
 14 but it's a -- I think we're too soon  
 15 to jump to conclusion that somebody is  
 16 a rubber stamper. I have to really  
 17 say that because I think the city goes  
 18 through phases where, you know, the  
 19 four members from Orloski to Mr. Rogan  
 20 are rubber stampers but that may not  
 21 be true and just from the last council  
 22 where the mayor may have had a  
 23 majority. I don't think that  
 24 necessarily means that somebody is  
 25 rubber stamping. I think that takes a

1 lot of legitimacy away from our  
 2 government as it tries to function and  
 3 I think it closes a lot of doors and  
 4 avenues to the residents of this city.  
 5 And I just really think that it's time  
 6 just to stop allowing people to define  
 7 what the council members are and what  
 8 the mayor is and it's only my opinion  
 9 that the city is really in a bad way.  
 10 Just walking through the city you can  
 11 see it, the amount of lack of  
 12 employment here, lack of opportunity,  
 13 amount of blight. I can't understand  
 14 why we can't ask the mayor and why  
 15 this council can't try to put forth a  
 16 program where we can enlarge the list  
 17 of licensed contractors in the city to  
 18 bring down costs to renovations inside  
 19 the city. I don't know why we can't  
 20 have city inspectors. I know there  
 21 are few but I don't know why we can't  
 22 hire some and have them working hand  
 23 in hand with residents to the city  
 24 that are property owners. I just  
 25 think we really need to take a good

1 hard look at finding solutions that  
 2 cost very little money and can very  
 3 seriously change the direction of the  
 4 city. You know, we can keep -- like  
 5 today you read the newspaper and  
 6 they're talking about enhancing the  
 7 hotel tax. Well, you know, it reaches  
 8 a point where people have no money and  
 9 that's the point I think that we  
 10 compromise the city. PPL has come  
 11 with an empty hand telling us that we  
 12 have to keep going back to the  
 13 residents for more money. And if the  
 14 people in the city haven't figured out  
 15 that the middle class abandoning the  
 16 city isn't what is happening here, you  
 17 know, I don't know what to say. You  
 18 know, there's an influx of immigrants  
 19 here, most of them probably are below  
 20 the poverty level but we forced out  
 21 the people that were making money and  
 22 by the same token, we have to in my  
 23 opinion come up with a way to create  
 24 an industrial base here or a light  
 25 manufacturing base to create a wage

1 base which can pay our taxes, and we  
 2 have to figure a way in this city to  
 3 increase our population and taxing  
 4 everybody will just lead us to the  
 5 point where there will be nobody here,  
 6 and I just hope that this council  
 7 would try to interact with the  
 8 Scranton Sewer Authority, because in  
 9 my opinion, you know, you keep putting  
 10 taxes on people and now a rate  
 11 increase on the sewer rates is just  
 12 going to be unbelievable. I think the  
 13 people have reached the threshold  
 14 where they have no more money. Even  
 15 Walmart by the end of the month  
 16 spending in their store really drops  
 17 off. So that seems to tell you that  
 18 high gas prices, high taxation, lack  
 19 of opportunity, lack of jobs, the  
 20 people have no money, and we just  
 21 can't keep going back to the same  
 22 people. You know, like we're talking  
 23 about selling delinquent taxes again.  
 24 It's not taking us anywhere. Thank  
 25 you.

1 MS. EVANS: Thank you. Is there  
2 anyone else who cares to address  
3 council?

4 MS. SCHUMACHER: Good evening.  
5 Marie Schumacher. I'll start off with  
6 a question I've asked before but  
7 haven't submitted it in the writing so  
8 I will submit it in the writing this  
9 evening. And that is will the capital  
10 budget be amended to reflect the Perry  
11 Street Playground?

12 MR. JOYCE: Once the capital  
13 budget is submitted, we will look it  
14 over and see if the administration  
15 does amend it to reflect the Perry  
16 Street Playground, and if not, perhaps  
17 that is something that council can do.

18 MS. SCHUMACHER: Well, it would  
19 seem the current one should be  
20 amended.

21 MR. JOYCE: Right.

22 MS. SCHUMACHER: Okay. Now, back  
23 in March Solicitor Hughes reported  
24 there's a possibility that Scranton  
25 Development Authority may default on a

1 Pennstar loan related to the  
2 collection of delinquent taxes for  
3 calendar years: 2004, '05 and '06.  
4 At which point the city would have to  
5 pay off the loan which could be as  
6 high as \$1.6 million. Solicitor  
7 Hughes further reported that the SRI  
8 was soliciting bids for a collection  
9 agency to replace NCC and forecast the  
10 administration would request the 2007  
11 and 2008 delinquent taxes be given to  
12 the SRA without compensation to  
13 increase the amount of collections  
14 that could be made to reduce the  
15 amount of the Pennstar loan exposure.  
16 My questions are whether council has  
17 any information regarding whether a  
18 new collection agency is under  
19 contract with the SRA and the amount  
20 of collections made since early March.  
21 Also, does council still expect  
22 legislation to give SRA the delinquent  
23 2007 and 2008 and, if so, when will  
24 taxpayers expect to see this on the  
25 agenda. Now, I recognize that 5C

1 deals with these but I don't know how  
2 we can go back and do the three years  
3 that were previously sold to the SRA.  
4 Again, they already had them and we --  
5 I don't believe taking them back until  
6 the end of the year if they truly  
7 default. So I do have a question on  
8 that and, again, if the back up to  
9 this gives the Scranton City taxpayers  
10 any compensation for adding -- if this  
11 is the legislation, if that -- if  
12 we're going to get compensation for  
13 the 2007 and 2008 taxes that are going  
14 to be collected or if that's just  
15 money down the tubes.

16 On another point. Mr. Joyce, you  
17 often report information from the  
18 Single Tax Office -- -

19 MR. JOYCE: Correct.

20 MR. SCHUMACHER: As far as the  
21 funds distributed, for example, back  
22 in the February 15th meeting you  
23 reported the tax collection, the local  
24 tax collection totalled roughly two  
25 million, 219 thousand, 831 dollars so

1 far in 2011, yet the city reported  
2 local taxes of one million, 625  
3 thousand, 886 dollars for the month of  
4 January, a difference of almost  
5 \$600,000. Now, I'm wondering if the  
6 information that you presented was  
7 provided for the month of January or  
8 through the 15th when you reported it,  
9 and if not, if it's for the same  
10 period, if you've done any  
11 investigating on why the city's number  
12 is 25 percent less than the Single Tax  
13 Office reported.

14 MR. JOYCE: We have some  
15 investigating with the tax --

16 MS. SCHUMACHER: Was that for the  
17 month of January when you reported on  
18 February 15th?

19 MR. JOYCE: On February 15th I --  
20 honestly I don't have the information  
21 I reported in front of me. I can go  
22 back and look at it, however, and find  
23 out if that was what we have received  
24 through the middle of February versus  
25 the end of January or if that included

1 the end of January and the first week  
2 of February. So I will go and look  
3 back over that, and also I will  
4 address the loan -- the SRA loan later  
5 on motions as well.

6 MS. SCHUMACHER: And now back to  
7 the parking authority. The last city  
8 ordinance related to the Scranton  
9 Parking Authority was file of Council  
10 100 of 2009 which shows two hour  
11 parking meters for the 400, 500 and  
12 600 blocks of Lackawanna Avenue. So  
13 my question tonight is when will the  
14 meters be installed in the 500 block  
15 of Lackawanna Avenue. We have --  
16 every place else in the city has  
17 meters but not the 500 block of  
18 Lackawanna Avenue and I would like to  
19 know when that would be in compliance  
20 with the ordinance. And then still in  
21 the 500 block, I recall the vacant lot  
22 at 500 Lackawanna Avenue was bought  
23 for about a quarter of a million  
24 dollars and then subsequently sold to  
25 500 Lackawanna Avenue Development

1 Company with the recorded purchase  
2 price as one dollar, and I would like  
3 to know why did the taxpayers spend a  
4 quarter of a million dollars only to  
5 give the property away.

6 MR. HUGHES: If you want me to  
7 answer that. The taxpayers didn't  
8 spend the money. That was purchased  
9 by the Redevelopment Authority with  
10 money from the developer, then it was  
11 conveyed by the Redevelopment  
12 Authority to the 500 Development  
13 Company or Corporation. Supposedly  
14 that was a transaction. There was no  
15 taxpayer money involved in that that I  
16 am aware of. That money was given by  
17 the developer to the SRA in order to  
18 make that closing because the SRA  
19 didn't have the money.

20 MS. SCHUMACHER: Okay. Because I  
21 know it was shown as an SRA purchase  
22 of that vacant lot. Thank you.

23 MR. HUGHES: Even though the deed  
24 should have been, it's none of my  
25 business, I don't have time to go down

1 and check things like that but if it  
2 was for one dollar, it had to be an  
3 affidavit of value even though the  
4 Redevelopment Authority is tax exempt  
5 from paying the realty transfer tax,  
6 the grantee since it is a corporation  
7 would have to pay both the transfer or  
8 the grantor and grantees realty  
9 transfer tax to the City of Scranton  
10 School District and to the state.  
11 That would be with the affidavit of  
12 value.

13 MS. SCHUMACHER: Okay. Thank  
14 you. The next time I'm down there,  
15 I'll check that.

16 And then I would like to -- two  
17 more quick things. One was DPW  
18 requested by council to provide an  
19 estimate to correct the stormwater  
20 drainage problem created by the Tripp  
21 Village Development according to the  
22 court case, and if so, has a response  
23 been received as yet and then --

24 MR. ROGAN: Miss Schumacher, I  
25 did receive your message. I'm sorry.

1 I completely forgot but I had it on my  
2 list for tonight and I was looking  
3 through my notes. I didn't see  
4 anything came from the DPW.

5 MS. SCHUMACHER: But something  
6 did go to them.

7 MR. ROGAN: I believe so. We can  
8 ask --

9 MS. SCHUMACHER: Okay. Thank  
10 you. And then finally has any  
11 response been forthcoming on the  
12 question I previously submitted on the  
13 Ice Box feedback where what was  
14 recorded with the deed was different  
15 from what council approved as the  
16 agreement.

17 MS. EVANS: We haven't receive  
18 any information, but I did want to ask  
19 you one quick question before you  
20 leave the podium.

21 With regard to the parking meter  
22 installation in the 500 block of  
23 Lackawanna Avenue you quoted or cited  
24 rather an ordinance of 2009. What was  
25 the number of the ordinance?

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1 MS. SCHUMACHER: I think it was  
 2 100. I just gave it to --  
 3 MS. EVANS: Thank you very much.  
 4 MS. SCHUMACHER: Thank you.  
 5 MS. EVANS: Is there anyone else  
 6 who cares to address council?  
 7 MR. SLEDNESZSKI: Good job. I'm  
 8 very proud of you. I'm serious. This  
 9 cop, good cop in west -- What's the  
 10 high school down there?  
 11 MR. LOSCOMBE: At West, Steve?  
 12 MR. SLEDNESZSKI: Steven. Yeah.  
 13 Officer Cullen. He does a good job  
 14 down there with the kids. No fudge  
 15 any more. So keep it up down there,  
 16 Steve. I'm proud of you. Thank you.  
 17 MS. EVANS: Thank you, Chris. Is  
 18 there anyone else who cares to address  
 19 council?  
 20 (No response.)  
 21 MS. KRAKE: 5A. MOTIONS.  
 22 MS. EVANS: Mr. McGoff, do you  
 23 have any comments or motions this  
 24 evening?  
 25 MR. MCGOFF: Just very quickly.

55

1 I just quickly would like to comment a  
 2 little bit on the situations in South  
 3 Scranton in the past two weeks. I've  
 4 lived in South Side my entire life and  
 5 the neighborhood has transformed in  
 6 some ways good and some ways bad, and  
 7 the recent events there are just part  
 8 of an ongoing problem that has emerged  
 9 in the South Side region, and I think,  
 10 you know, the Scranton Police have  
 11 done a fine job of trying to curtail  
 12 the problem but we've closed any  
 13 number of so-called nuisance bars in  
 14 South Side, and it seems as though the  
 15 clientele just moves from one place to  
 16 another, and it's hard to deter what  
 17 is taking place, and hopefully the  
 18 actions that the city has taken in  
 19 closing down -- hopefully closing Finn  
 20 McCool's and the Hotel Sun and the  
 21 number of arrests that were made in  
 22 conjunction with those two events  
 23 hopefully will remove some of the  
 24 people that are the root of these  
 25 problems. I think South Side is

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1 making progress towards redevelopment  
 2 and towards redefining itself.  
 3 There's a number of new small  
 4 businesses that are open, and I think  
 5 that the work being done on Cedar  
 6 Avenue with the redevelopment projects  
 7 there are going to do a great deal to  
 8 transform again the neighborhood.  
 9 It's unfortunate that these incidents  
 10 at McCool's and the Hotel Sun occurred  
 11 and hopefully there won't be any, you  
 12 know, anything else in the future, but  
 13 I would just like to commend, you  
 14 know, the police agencies and the  
 15 district attorney for their actions  
 16 in -- their quick actions in, first of  
 17 all, finally they're coming up with  
 18 suspects for the incident at McCool's  
 19 and also for the arrest made from that  
 20 drug ring that supposedly was  
 21 operating out of the Hotel Sun. I  
 22 just, again, would like commend them  
 23 for the work they did and what they're  
 24 doing to help make South Scranton a  
 25 better place and that is all I have

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1 for this evening.  
 2 MS. EVANS: Thank you, Councilman  
 3 McGoff. Councilman Rogan, any motions  
 4 or comments?  
 5 MR. ROGAN: Yes. Thank you. I  
 6 would like to first start off by  
 7 congratulating Councilman McGoff and  
 8 Councilman Loscombe for their wins. I  
 9 know running for office isn't  
 10 something that's easy. It's a lot of  
 11 work and I'm sure that both of you are  
 12 glad the election is over. Mr.  
 13 McGoff, I don't feel as bad now giving  
 14 your strong showing that you beat me  
 15 in 2007. And, Mr. Loscombe, I know  
 16 it's very difficult running for office  
 17 the first time. Most candidates lose  
 18 their first time but you did it. You  
 19 won. So congratulations to you as  
 20 well.  
 21 MR. LOSCOMBE: Thank you.  
 22 MR. ROGAN: Next, we received two  
 23 checks in our box today, one for  
 24 \$419,137.84 and one for \$150,172.43  
 25 for a total of by around,

1 approximately \$569,000, and this is  
 2 the money from the tax office that  
 3 wasn't distributed under the former  
 4 tax collector. So I would like to  
 5 congratulate our tax collector, Bill  
 6 Courtright, who is doing an excellent  
 7 job over there and this money is  
 8 definitely needed. And, Mrs. Krake,  
 9 we also -- I know Mr. Courtright is a  
 10 humble person. He wouldn't to -- what  
 11 do we call -- yeah, a proclamation but  
 12 can we please send a letter thanking  
 13 him Mr. Courtright for his efforts in  
 14 cleaning up the tax office give the  
 15 taxpayers money back to the city  
 16 coffers.

17 MS. EVANS: And, I think, if I  
 18 can just piggyback on that for one  
 19 second. The auditor of city of  
 20 council, Rossi and Rossi, was also  
 21 instrumental in location of that extra  
 22 money that was not distributed  
 23 previously to the city. So I think a  
 24 combination of an efficient auditor  
 25 and a very efficient tax collector now

1 has really produced positive results  
 2 for the city.

3 MR. ROGAN: But I wouldn't go as  
 4 far as congratulating the auditor  
 5 because I believe Rossi and Rossi were  
 6 the auditors in the years when the  
 7 money was missing.

8 MS. EVANS: Well, no one knew the  
 9 money was missing.

10 MR. ROGAN: But, anyway, Tax  
 11 Collector Mr. Courtright, great job.  
 12 Keep up the good work.

13 Finally I have a slew of  
 14 requests. First, I'll start off  
 15 with -- Mrs, Krake, I have all of  
 16 these written down. Many of them are  
 17 written in our mailbox. But the first  
 18 one, please send a letter to licensing  
 19 and inspections. Ask them to check  
 20 out the Washburn Street Cemetery  
 21 again. I didn't get a chance to stop  
 22 be there the last two days, I've been  
 23 meaning to, the weather yesterday and  
 24 today, I just didn't have time before  
 25 the meeting but I received actually a

1 text message right now from a  
 2 resident. He said he actually went  
 3 and measured the grass and when the  
 4 article was run in the newspaper, both  
 5 newspapers, and I thank both papers  
 6 for doing it, The Lackawanna and then  
 7 the Scranton Times, they did do some  
 8 things to clean up the cemetery. Some  
 9 grass was cut, some of it, you know,  
 10 busted trees that fell were cleaned up  
 11 and some of the blight, but he  
 12 measured the grass and in some areas  
 13 it's as high as 14 inches. So, you  
 14 know, it's disappointing that still,  
 15 you know, it's not being properly  
 16 taken care of. So would you please  
 17 send that to Mr. Sietzinger.

18 MR. JOYCE: Councilman Rogan, if  
 19 you don't mind me interrupting because  
 20 I did have the opportunity to visit  
 21 the Washburn Street Cemetery  
 22 yesterday. In fact, I take the dog  
 23 over there sometimes to walk him since  
 24 it's convenient and it's rather close  
 25 and it's becoming a topic of interest.

1 And I do want to say that they have  
 2 been progressing as far as cutting the  
 3 lawn and taking care of some of the  
 4 problems over there and if you could  
 5 add to that, Mrs, Krake, one thing  
 6 that I did research and maybe it's one  
 7 of the reasons why the site has not  
 8 been up to par over previous years.  
 9 If you notice when walking through  
 10 there, many graves in there of people  
 11 that are born in the 1700's and I  
 12 know -- by walking through I would  
 13 doubt that the owner of the cemetery  
 14 is getting a lot of business as far as  
 15 people buying plots, therefore,  
 16 probably not making a lot of money.  
 17 Of course, it costs money to maintain  
 18 these grounds, and I know from doing  
 19 research that if a track of land has  
 20 not been used as a burial site for 50  
 21 years there is an eligibility for  
 22 state grant funds. So if we could  
 23 possibly relay this information to the  
 24 owner and see if part of the cemetery  
 25 can be declared as historical per se

1 while the other part of the cemetery  
2 that may have had recent burials over  
3 the past say 20 years be declared  
4 separate. I'm not sure if that can be  
5 done, however, I think it warrants  
6 some research, and if the owner could  
7 possibly get some grant money from the  
8 state to renovate the cemetery,  
9 perhaps this is something that could  
10 alleviate the problems that come up  
11 year after year.

12 MR. ROGAN: I agree. That would  
13 be great. I know what you're talking  
14 about, the left half and when Mr.  
15 Howells and myself went through, one  
16 of things we said was that because  
17 they're so old from the 1700's and  
18 1800's, their loved ones, most of them  
19 still are not in the area to followup  
20 through generation to call up and  
21 complain about the horrible condition  
22 that it's in. And I think that's part  
23 of the problem also in that area.

24 MR. JOYCE: Absolutely.

25 MR. ROGAN: Again, he's not

1 making money. I don't care if the  
2 owner of the cemetery makes money off  
3 it. If he could apply, that would be  
4 great. As long as it's clean and, you  
5 know, the dead are respected. That's,  
6 I think, what we all want.

7 Next letter, a letter to the DPW  
8 asking how much it would cost to  
9 correct the flood problem in the Tripp  
10 Park Development. A letter to Mr.  
11 Pocius, the engineer, and Pike's Creek  
12 Construction asking is there's any  
13 status update on the Krist Avenue  
14 Bridge. This one came from Jamie. We  
15 received a call to let us know that  
16 the work being done at 111 Cedar Ave  
17 has stopped a couple weeks ago and the  
18 construction company will not continue  
19 to work until they get paid. I'm not  
20 sure of the background on it.

21 A resident called to make council  
22 aware of a volume problem when council  
23 meetings are aired on ECTV. She would  
24 like to see ECTV be gone. She stated  
25 at least twice -- she stated at least

1 with Scranton Tomorrow you can hear  
2 what is being said at the council  
3 meetings and I couldn't agree more  
4 because when I watched the replays of  
5 the meetings, many times I have to  
6 turn the volume all the way up and  
7 when Scranton Tomorrow had the  
8 meetings, you know, it's crystal  
9 clear.

10 A resident requested the potholes  
11 be fixed in the follow areas: The  
12 intersection of Jefferson Avenue and  
13 Spruce Street near the Radisson,  
14 Linden Street right off Jefferson  
15 Avenue by the University of Scranton,  
16 and in front of the Salvation Army  
17 Building on River Street. They said  
18 they called the DPW over and over and  
19 nothing has gotten done. I'm not sure  
20 if some of them might be state roads.  
21 So if it's the state, I'm sure  
22 PennDOT -- PennDOT is usually quick  
23 with getting everything done.

24 A resident reports that a  
25 condemned property looks like a jungle

1 at 1011 Mt. Vernon Street. He states  
2 the property has been condemned since  
3 1999 and that he has been calling  
4 about it for years. He says his  
5 concerns because he's now seeing rats  
6 coming out of the properties. He has  
7 left messages for inspectors over the  
8 years and has not received a call  
9 back. Would you please forward that  
10 to LIPS. I know Mr. Joyce mentioned  
11 this on numerous times. Unfortunately  
12 the DPW hasn't fixed it. Once again,  
13 the 200 block of Green Ridge Street  
14 and the 200 block of Reese Street. I  
15 know you said it so many times, I  
16 remember and I remember it was you.

17 And finally on the 1300 block of  
18 Watson Street near the dead-end when  
19 it rains, there's a problem with water  
20 collecting at the end of Smith Place.  
21 I know, Mrs. Krake, you talked to CECO  
22 Associates about this so if there's an  
23 update, we can talk after the meeting  
24 or if we get the correspondence, I'm  
25 sure we'll receive it in the mail.

1 And that is all for tonight. I'll  
2 comment on the votes when we come to  
3 Fifth Order. Thank you.

4 MS. EVANS: And, Councilman  
5 Loscombe, any comments or motions?

6 MR. LOSCOMBE: Yes. Thank you,  
7 Mrs. Evans, I have a few. First, I  
8 would like to congratulate Mr. McGoff  
9 for his election victory, and I would  
10 also like to thank everyone who  
11 supported me to provide me with the  
12 primary victory. I would also like to  
13 thank all the Republican votes for  
14 also providing with the write-in  
15 victory on the Republican ticket in  
16 November. I do appreciate that since  
17 I do represent all of our residents.  
18 I'd also like to congratulate all of  
19 the other candidates who were  
20 victorious in their campaigns and also  
21 those who were not victorious. There  
22 was some very good candidates for a  
23 variety of offices that were  
24 unsuccessful in this primary and I  
25 would urge them to keep their passion

1 for public service and to continue to  
2 pursue their goals.

3 Next, I would like to recognize  
4 the great job our Police Department  
5 has been doing with the recent arrest  
6 of a large number of drug dealers. I  
7 appreciate the multi agency  
8 cooperation that has been exhibited  
9 with the Attorney General's Office,  
10 District Attorney's Office, the county  
11 detectives, state police and various  
12 other local departments that  
13 participated. I wasn't dismayed to  
14 see that one of those arrested was the  
15 same individual who was selling bath  
16 salts and synthetic marijuana close to  
17 two West Scranton schools and refused  
18 to remove them from their shelves  
19 until the city council passed an  
20 ordinance banning such sales. I would  
21 also like to commend our police  
22 department for their fast work in  
23 apprehending and arresting those  
24 responsible for the homicide at Finn  
25 McCool's in South Side. I would hope

1 that these recent accomplishments will  
2 serve to put drug dealers, nuisance  
3 bars and gangs on notice that you are  
4 not welcome in Scranton. And our  
5 police force will be actively  
6 enforcing the laws of protecting the  
7 citizens from your activities. I urge  
8 all residents to report any suspicious  
9 activities to our Police Department.  
10 I would also like to thank Captain  
11 Carl Graziano and Lieutenant Glenn  
12 Thomas for posting the parade route  
13 for this past Saturday's Veteran's Day  
14 Parade, keeping the route free from  
15 parked vehicles. I believe Lieutenant  
16 Thomas told me that there were about  
17 12 vehicles towed that day. Again,  
18 thank you for respecting our veterans.

19 In my travels I noticed for  
20 several days that there are vehicles  
21 from a Texas company called Magna Flow  
22 parked on Broadway Avenue near South  
23 Washington Avenue apparently flushing  
24 the sewer lines. They also told me  
25 that they were at a few other

1 locations within the city. I'm just  
2 curious as to why a company from Texas  
3 is here doing that job when I believe  
4 our sewer authority should have the  
5 same capability given the amount of  
6 new equipment that they own. Mrs.  
7 Krake, could you please a send to the  
8 Scranton Sewer Authority and the DPW  
9 requesting information as to why this  
10 Texas company is working on our  
11 sewers, who hired them, what is the  
12 cost for their services and was this  
13 service placed for bid and is this not  
14 a job that would have been able to be  
15 done in-house. And I couldn't tell if  
16 it was sanitary or storm sewer, that's  
17 why I requested that both departments  
18 be notified. Okay.

19 And another issue, I've been told  
20 that there's no DPW dispatcher on duty  
21 after 10:30 p.m. on at least four  
22 occasions in the recent past. If it  
23 was a case of not wanting to call in  
24 someone for overtime, I would wonder  
25 out loud how certain part-time

1 employees and a select few other  
 2 employee are continuing to rack up  
 3 overtime without question. I believe  
 4 the director should review priorities  
 5 and perhaps we can send a request to  
 6 him to request how his overtime  
 7 positions are prioritized.

8 And also, in Seventh Order this  
 9 evening the city insurance cover will  
 10 be considered once again. I will let  
 11 our council president and solicitor  
 12 discuss the reasons why it appears on  
 13 the agenda and their comments. But  
 14 back in January we made an amendment  
 15 to this legislation to reduce the term  
 16 of the current policies to six months  
 17 from 12 months thus allowing a  
 18 sufficient amount of time to draft a  
 19 request for proposals. I will read my  
 20 answers to the question on the  
 21 amendments from the January meeting so  
 22 you'll understand where we were going  
 23 at that time. With this amendment it  
 24 would give the city a chance to draft  
 25 a request for proposals giving the

1 many other qualified insurance brokers  
 2 in our area an opportunity to perform  
 3 their due diligence and submit  
 4 competitive proposals with proper  
 5 replacement costs coverages on our  
 6 current structures and a chance to  
 7 review all of our policies for the  
 8 best available coverage for the best  
 9 premium. The bid specifications must  
 10 not be offered by the current  
 11 incumbent broker. That would be  
 12 defeating the purpose. In reviewing  
 13 our current coverage as through the  
 14 proposal as presented by Knowles  
 15 Associates, it is my belief that  
 16 several structures are underinsured.  
 17 I have questions on who is responsible  
 18 to place coverage on certain  
 19 structures such as the library  
 20 buildings which have been deeded to  
 21 the Library Authority who still  
 22 maintains the deeds as we heard here  
 23 this evening. We have building  
 24 coverage with a 25,000 deductible on  
 25 all scheduled structures including a

1 \$13,000 snack shop at Nag Aug and a  
 2 \$20,000 clock at Providence Square.  
 3 We have scheduled equipment with a  
 4 \$10,000 deductible where only four out  
 5 of the ten items are actually worth  
 6 more than the deductible. We have two  
 7 alternate quotes from public officials  
 8 and employment practices liability  
 9 with a spread of nearly \$30,000 in  
 10 premium. Who determined which one to  
 11 put enforce, the broker, the mayor. I  
 12 believe the insurance coverage should  
 13 be reviewed and put out to bid every  
 14 three to five years especially at this  
 15 time when we have seen the softening  
 16 of the market which ultimately  
 17 benefits the consumers and the  
 18 taxpayers. We should see a premium  
 19 reduction of 15 to 20 percent of  
 20 current coverages over last year. In  
 21 their defense the current proposals  
 22 from Knowles Associates does show a  
 23 reduction in premium of approximately  
 24 ten percent over last year. The  
 25 reason for bidding this coverage out

1 is not solely to reduce the premium,  
 2 but rather to have a chance to review  
 3 the coverages for accuracy. By  
 4 reviewing the scheduled vehicles and  
 5 their coverages, by reviewing the  
 6 scheduled structures and proper  
 7 replacement costs coverage and  
 8 reviewing the schedule equipment for  
 9 proper coverage and also by reviewing  
 10 all the pertinent coverages that apply  
 11 to a municipality. This is exactly  
 12 one of the services that should be  
 13 placed out for bid, and I would like  
 14 to quote an article by Richard  
 15 Matthews writing for the Empowered  
 16 Municipality which is e-mailed to all  
 17 of us on a regular basis. "Today we  
 18 examine the next common sense step on  
 19 a path to lowering your expenses by  
 20 putting your property and liability  
 21 insurance out to bid soliciting  
 22 alternative quotes. My question to  
 23 every municipal entity in Pennsylvania  
 24 remains, can you afford not to at  
 25 least every five years review your

1 policy coverages, claims history and  
 2 how your premium compare to your  
 3 fellow municipal entities as basic due  
 4 diligence to your respective  
 5 community." I am urging the  
 6 administration to work in the best  
 7 interest of the taxpayers who are also  
 8 the co-owners of the municipal  
 9 property as previously discussed and  
 10 to draft proper bid specifications in  
 11 a timely manner to assure competitive  
 12 bidding opportunity to provide the  
 13 proper insurance coverage at the best  
 14 premium and to allow interested  
 15 bidders an opportunity to perform  
 16 their surveys and acquire quotes in a  
 17 sufficient amount of time. Now, a  
 18 little history. We received this  
 19 legislation on January 4th with a  
 20 revision on January 10th for coverage  
 21 beginning on January 1st. The  
 22 proposal was submitted to the city on  
 23 December 1st, and as stated before,  
 24 our backs are against the wall. We  
 25 cannot allow a lapse in our coverage.

1 That's why we approved it at that time  
 2 but we did make amendments, we amended  
 3 it to a six month policy. I think  
 4 it's in the best interest of everyone  
 5 since there's no incentive for an  
 6 agent to go out and find the cheapest  
 7 premiums when they are getting paid a  
 8 commission on those premiums. But  
 9 when you have competitive bidding,  
 10 there may be brokers out there that  
 11 have companies that aren't available  
 12 to this particular broker, and I think  
 13 it would be a benefit to all of us and  
 14 with the soft market and exactly by  
 15 saving -- a chance of saving some  
 16 money on our premiums. Obviously  
 17 despite numerous requests from this  
 18 council what I just read to you was  
 19 our statements from the meeting in  
 20 January. I believe it was  
 21 January 12th at that time requesting  
 22 proposals. And, again, obviously  
 23 despite numerous requests from this  
 24 council, the administration has chosen  
 25 to drag this out just as they have sat

1 on the parking meter program and the  
 2 rental programs. I don't understand  
 3 it. We're a city in distress, we're a  
 4 cash strapped city, we read about it  
 5 every day in the paper and there's  
 6 ways to generate revenue and ways to  
 7 save money and they sit on it and this  
 8 is frustrating, you know. And then  
 9 going through this research since we  
 10 still had it, I came across some other  
 11 insurance issues that I'd like to have  
 12 addressed, too. Back in -- it doesn't  
 13 even appear this was bid out  
 14 originally. It looks like a lot of it  
 15 was done by broker of record at that  
 16 time and by that, by a broker of  
 17 record, if you have some of the same  
 18 companies, you can just come in and  
 19 have that company sign up with you.  
 20 It's easier leg work for a broker.  
 21 But every policy, even your  
 22 homeowner's policy should be reviewed  
 23 every couple years for the replacement  
 24 costs on your homes alone if you put  
 25 an addition on, inflation factors,

1 anything that like. So you can  
 2 imagine on a homeowner's level, it's  
 3 one thing but on a municipal level,  
 4 the buildings we have, the  
 5 architectural and historic buildings,  
 6 the proper coverage has to be in  
 7 place. And all we've asked for was a  
 8 request for proposals, and I'm not  
 9 picking on the current broker. They  
 10 may end up with it. They may be the  
 11 best broker in this area. I have no  
 12 clue. I just think there has to be  
 13 some research done and some due  
 14 diligence and what I saw when I looked  
 15 at the policies, there were some  
 16 errors on the coverages and that has  
 17 to be corrected. It appears that it's  
 18 just renewed annually. I have a stack  
 19 of renewals just renewed annually by  
 20 the same company just shopping within  
 21 themselves, there's a couple different  
 22 companies. It's hard to understand if  
 23 you don't know it but brokers have  
 24 access to several different insurers  
 25 and they would be able to shop those

1 insurers out on an annual basis but an  
 2 annual basis -- an insurance broker  
 3 should sit down with the entity, go  
 4 over its coverages, make sure that  
 5 there's no new buildings, no new  
 6 additions, no changes in vehicles, all  
 7 that stuff has to be done to be  
 8 properly covered and make sure the  
 9 values are up-to-date and that's why  
 10 it's important to review this every  
 11 couple of years. It's tough to do  
 12 every three years to revalue -- or  
 13 every year to revalue, but it should  
 14 be every three to five years. While I  
 15 was researching this, I also came  
 16 across some other resolutions back in  
 17 2003, 2004, and the resolutions have  
 18 to do with the fact that the city is  
 19 self insured and these were  
 20 resolutions authorizing the city to  
 21 give the same company the contract  
 22 which is totally separate from these  
 23 here. Whereas the City of Scranton is  
 24 mandated by the Commonwealth to have  
 25 in place a bona fide accident and

1 illness prevention program in order to  
 2 maintain a shelf insured status. So  
 3 this is something that we have to have  
 4 in place to remain shelf insured. And  
 5 then whereas Knowles Associates has  
 6 the expertise to provide the city with  
 7 mandated requirements regarding loss  
 8 prevention as well as to implement  
 9 effective internal procedures to  
 10 contain such losses. Contract will  
 11 last for one year from the date of  
 12 enactment of this resolution and will  
 13 be performed for a flat fee of \$24,000  
 14 plus actual costs such as  
 15 photocopying, printing and the like.  
 16 This is a separate contract from the  
 17 insurance contract. This here is  
 18 basically an accident and illness  
 19 prevention program, and I've spoken to  
 20 a number of employees that don't  
 21 recall ever having any kind of classes  
 22 on accident prevention or anything  
 23 like that. That's what part of this  
 24 is. That's what someone that does  
 25 this is supposed to do, go around to

1 the different departments, to prevent  
 2 injuries, prevent accidents so the  
 3 Workers' Comp fees go down and that's  
 4 what this payment is for. And I see  
 5 it was renewed in 2004 also, but I  
 6 don't have anything beyond that and  
 7 obviously if we're mandated by the  
 8 state to have this program, we have to  
 9 have coverage by someone. So I was  
 10 just wondering, Mr. Krake, if you can  
 11 request information from the proper  
 12 authorities as to what became of this  
 13 program since 2004, if it's still in  
 14 the hands of the same insurance  
 15 company or do we even have the  
 16 coverage. And obviously it's over  
 17 \$10,000. We haven't had any bids put  
 18 before us. So I would like to know  
 19 any details on that and also details  
 20 of the programs and what they've  
 21 accomplished as far as accident and  
 22 illness prevention.

23 And also I have another question  
 24 to ask on our existing policies. Have  
 25 there been any lapses in any of our

1 coverage during this, you know, this  
 2 last ten years, and if so, has the  
 3 broker's ENO coverage been utilized to  
 4 recover any losses due to a lapse.  
 5 But I just think, you know, it's the  
 6 same old, same old just as I said here  
 7 but these three issues, the insurance,  
 8 the street meter program, the rental  
 9 program, were put in this year to  
 10 generate revenue that we sorely need,  
 11 and we can keep pounding a dead horse  
 12 but we need it, and the city knows we  
 13 need it. The administration knows we  
 14 need it. I'm wondering where is it.  
 15 Where are all these things. They cry  
 16 in the newspaper every day that, well,  
 17 they try to blame council that we have  
 18 a deficit in the budget. We obviously  
 19 know whose cause the deficit here. I  
 20 think it's been presented from here  
 21 many times. But I don't care -- I  
 22 don't want to blame anybody but right  
 23 now we did our job on this and we've  
 24 been waiting and the taxpayers are  
 25 waiting. And if this stuff doesn't

1 happen and we don't save the taxpayers  
2 money and start making revenue, we are  
3 in deep trouble. And, you know, if we  
4 want to be on the same page, we want  
5 to work for the same taxpayers in this  
6 city, administration, let's get to it,  
7 get working for the people.

8 And I do have some citizens'  
9 concerns. I will pass them onto Mrs.  
10 Krake. And that's all I have. Thank  
11 you.

12 MS. EVANS: Thank you.  
13 Councilman Loscombe. Councilman  
14 Joyce, any comments or motions?

15 MR. JOYCE: Yes. Before I begin  
16 tonight, I'd like to congratulate my  
17 colleagues, Mr. McGoff and Mr.  
18 Loscombe on their victories on the  
19 Democratic ballot in the primary and  
20 also Mr. Loscombe for his write-in  
21 victory on the Republican ballot. I  
22 also want to congratulate Mr. Morgan  
23 for his victory on the Republican  
24 ballot as well and all of the other  
25 candidates who ran for the office of

1 city council as well as the victors  
2 and those who came up a little bit  
3 short for some of the other races that  
4 were going on, both city and  
5 countywide.

6 I was going to mention the two  
7 checks that Mr. Rogan brought up and  
8 also thank our tax collector, Bill  
9 Courtright, for a job well done as  
10 well as our auditor, Rossi and Rossi.  
11 I believe that both of them have done  
12 a very good job in making sure that  
13 this money is where it needs to be and  
14 where it should be at this time.

15 Mr. Loscombe comments a lot about  
16 some revenue issues. However, I am  
17 going to talk about an expenditure  
18 tonight. And it has come to my  
19 attention that the city is once again  
20 in some hot water for unpaid  
21 obligations from prior years. This  
22 time around the city is responsible  
23 paying a loan taken out on behalf of  
24 the Scranton Redevelopment Authority  
25 to the tune of 1.56 million dollars.

1 To further explain as Mrs. Schumacher  
2 came up and stated before, delinquent  
3 taxes were sold from the city to the  
4 Redevelopment Authority for the years,  
5 2004, five and six. As noted, since  
6 the delinquent taxes were sold to the  
7 city, the Redevelopment Authority paid  
8 the city in a prior year for the  
9 accounts. Subsequently, the  
10 Redevelopment Authority took out a  
11 loan from Pennstar Bank for nearly the  
12 entire amount of the tax claims.  
13 Since the Redevelopment Authority  
14 wasn't able to collect all the  
15 delinquent tax claims, the  
16 Redevelopment Authority defaulted on  
17 the loan. Since the city backs the  
18 Redevelopment Authority as well other  
19 municipal authorities, it is now  
20 responsible for paying back Pennstar  
21 Bank. And I'll briefly read some of  
22 the correspondence that was received  
23 by our office here. On behalf of the  
24 Pennstar Bank from Rhoades and Sinen.  
25 "Dear Gentlemen: By this letter we

1 are notifying all interested parties  
2 that the Scranton Redevelopment  
3 Authority is in default of the line of  
4 credit loan and security agreement  
5 dated December 20th, 2007, and  
6 accompanying promissory note relative  
7 to the agreement of sale between the  
8 City of Scranton and the Authority for  
9 delinquent tax claims for the calendar  
10 years; '04, '05, '06. As discussed in  
11 prior correspondence, the outstanding  
12 principle balance of the loan, one  
13 million, 560 thousand, 398 dollars and  
14 eighty cents exceeds the product of  
15 the unpaid qualifying tax claim  
16 reported to be one million, 91  
17 thousand, 840 dollars per municipal  
18 revenue sources incorporated it's most  
19 recent report and the advanced rate of  
20 90 percent as set forth in the loan  
21 agreement. In addition as noted in  
22 the previous correspondence, the  
23 authority has failed to comply with  
24 it's obligation to maintain both the  
25 reserve and clearing accounts pursuant

1 to the loan agreement. These  
 2 constitute events of default pursuant  
 3 to Paragraph 8 of 818 or 81AH and L of  
 4 loan agreement pursuant to Paragraph  
 5 8.2. Thereof, Pennstar Bank is  
 6 declaring an unpaid principal balance  
 7 along with unpaid interest and other  
 8 sums due and owing under loan  
 9 agreement to note to be immediately  
 10 due you and payable. Additionally,  
 11 Pennstar is exercising its rights  
 12 pursuant to Section 3.02 of the  
 13 agreement of sale to demand repurchase  
 14 of the unredeemed tax claims by the  
 15 city. We calculate the city's  
 16 repurchase payment to be the  
 17 outstanding principal balance of the  
 18 loan which is one million, 560  
 19 thousand, 398 dollars and 80 cents  
 20 along with the interest at the default  
 21 rate of \$227.56 per day through the  
 22 date that payment is made. As the  
 23 assignee of the authority's rights  
 24 under the agreement of sale, Pennstar  
 25 is directing the city to make the

1 repurchase payment directly to the  
 2 bank pursuant to Section 3.02B there  
 3 of. Pennstar reserves all other  
 4 rights pursuant to the transaction  
 5 documents referenced herein and all  
 6 other documents related thereto  
 7 including but not limited to in its  
 8 rights all collateral and security  
 9 payments of all amounts due and owing  
 10 under the loan agreement. Pursuant to  
 11 the agreement of sale, the city is  
 12 obligated to make the repurchase  
 13 payment within 30 days of the date it  
 14 receives notice of the Authority's  
 15 default. Consequently payment is due  
 16 on/or before June 18th of 2011." And  
 17 before I comment more on this, is  
 18 Solicitor Hughes right next -- oh,  
 19 there are you. If you could add some  
 20 more details because I know that  
 21 you've been following this quite  
 22 closely.

23 MR. HUGHES: I'll try to be very  
 24 brief on this, and I think you've read  
 25 the letter that I received from

1 Attorney Michael Winfield of Rhoades  
 2 and Sinen. I'll get to this handout  
 3 that I just gave you which was part of  
 4 the loan documents before I explain  
 5 this. But I originally received a  
 6 phone call from Mike Winfield back on  
 7 March 3rd of this year regarding the  
 8 situation. I knew nothing of it. I  
 9 don't think council had any notice of  
 10 it. Attorney Winfield, he's with  
 11 Rhoades and Sinen in Harrisburg. He  
 12 sent me letters. They've been sent to  
 13 Attorney Greco and Attorney Kelly  
 14 including a package, federal express  
 15 of all the loan documents regarding  
 16 this transaction with Pennstar. I  
 17 received them on that Friday which  
 18 would be March 4th around 1 o'clock.  
 19 I reviewed them, analyzed them, and I  
 20 sent council a memo and then at our  
 21 March 8th meeting I made a report on  
 22 it. So this has been lingering around  
 23 for two and a half months. Attorney  
 24 Winfield told me at that time that if  
 25 something wasn't done, that Pennstar

1 would move to protect the interest in  
 2 the collateral, declare the city in  
 3 default. When I originally reported  
 4 on this -- to understand the  
 5 transaction, what happened was the  
 6 city's delinquent real estate taxes  
 7 for the years, 2004, five and six  
 8 totalled two million, 343 thousand,  
 9 439 dollars. This is a closing --  
 10 what I handed out is an analysis and  
 11 there's one of the closing documents  
 12 as to what this transaction was about.  
 13 The City of Scranton sold all of its  
 14 delinquent taxes for 2004, five and  
 15 six to the Scranton Redevelopment  
 16 Authority. The Scranton Redevelopment  
 17 Authority then through various  
 18 arrangements with Pennstar Bank had  
 19 them review the delinquent taxes and  
 20 also hired NCC as the collector of the  
 21 taxes. When these notes were sold or  
 22 when these delinquent taxes were sold,  
 23 any legal transaction when a creditor  
 24 sells its accounts receivable, there's  
 25 two ways they can be sold, either with

<p style="text-align: center;">90</p> <p>1 or without recourse. If they're sold  2 without recourse, that means that the  3 buyer, the Redevelopment Authority,  4 they buy them. In the event they  5 don't collect them, that's their loss.  6 What happened here is that when these  7 were sold, they were sold to the  8 Redevelopment Authority with recourse.  9 Which means that in the event they're  10 not collected, the City of Scranton is  11 responsible for the payment to  12 Pennstar Bank. So that what happened  13 here, and I'll get to it, this is  14 virtually a 100 percent financing to  15 collect delinquent debt. What  16 Pennstar did in the first column which  17 is number one, the total delinquent  18 taxes for those three years was two  19 million, 343 thousand, 439 dollars.  20 You'll see here in Column No. 2 where  21 they could take credits against this  22 amount because they're delinquent  23 taxes. There were there no deductions  24 made from two million, 343 thousand  25 dollars. What Pennstar did, they made</p>	<p style="text-align: center;">92</p> <p>1 was bad enough it was 90 percent, add,  2 when you look at the next item, No. 4,  3 is the cost of the authority related  4 to the advance. The Redevelopment  5 Authority fees was \$187,475. That's  6 8.9 of added on, that's 8.9 percent of  7 the two million, 343 thousand. Well,  8 Pennstar Bank says we'll loan the city  9 the 90 percent which would be two  10 million, 296 thousand, let them pay  11 the redevelopment, the costs and  12 expenses, it still would have been  13 90 percent. What Pennstar did and the  14 Redevelopment Authority was add back  15 on those costs. So instead of  16 90 percent, when they add back in the  17 Redevelopment Authority's fees of  18 \$187,000 to the two million, 296  19 thousand, the 90 percent, it comes up  20 to 98 percent financing. So the loan  21 that the Redevelopment Development has  22 now under the delinquent taxes is 98  23 percent of the delinquent taxes. If  24 it's not collected, it's put back to  25 the city, the city is responsible to</p>
<p style="text-align: center;">91</p> <p>1 evaluation saying we will loan the  2 Redevelopment Authority 90 percent of  3 the delinquent taxes for those years  4 which is an extremely high percentage  5 to collect delinquent taxes for these  6 those three years during the time  7 period of the loan. That was not only  8 I think a very generous amount but  9 they had no worry because they knew  10 that if the Redevelopment Authority  11 didn't collect the taxes and pay the  12 notes, then in accordance with the  13 loan documents the City of Scranton  14 was responsible to pay the debt  15 because they were sold with recourse,  16 and as a result, anything that wasn't  17 collected when this matured and  18 they're going to mature on January 1st  19 of 2012, they could exercise it, the  20 City of Scranton would have put in its  21 budget, raise the taxes to pay it. So  22 it was really a fair safe loan from  23 Pennstar standpoint because the City  24 of Scranton put its whole faith in tax  25 dollar behind these obligations. That</p>	<p style="text-align: center;">93</p> <p>1 pay it. So this was virtually similar  2 to the real estate the country got  3 into when you had buyer loans where a  4 100 percent financing, people couldn't  5 pay the 100 percent. This thing was  6 doomed to failure from day one because  7 it assumed there would be 98  8 collection rate on the delinquent  9 taxes for 2004, five and six, and that  10 adds up when you look at this, that  11 then they ended up loaning two million  12 on the loan, was two million, 296  13 thousand, 570 dollars which is  14 \$187,500 less than the total amount of  15 delinquent taxes. So you had to  16 collect a 100 percent of the  17 delinquent taxes to be even. Then  18 what they did which is normal, they  19 said let's have a loss loan reserve  20 account so that in the event payments  21 aren't made on interest, we'll have a  22 reserve account. That's item No. 9  23 which is \$114,829. Well, that was  24 money that was lent so that in the  25 event you couldn't pay the interest,</p>

1 the SRA couldn't pay the interest  
 2 because it didn't collect sufficient  
 3 amounts of delinquent taxes, the loan  
 4 account would be debited. So the City  
 5 of Scranton received one million, 994  
 6 thousand, 266 dollars as set forth in  
 7 the letter I gave council that was  
 8 sent to me May 19 by Mr. Winfield that  
 9 the loan reserve account is gone, it  
 10 appears from what he says that of the  
 11 two million, 343 thousand of  
 12 delinquent taxes that are out there,  
 13 that the amount left is one million,  
 14 91 thousands but the city's liability  
 15 is one and a half million dollars.  
 16 The city has been declared in default  
 17 for various reasons as set forth in  
 18 the letter that Mr. Joyce described  
 19 and now they've made full demand on  
 20 the city. To make matters worse, when  
 21 the mayor prepared the budget this  
 22 year knowing that this was going to be  
 23 mature at the end of the year did not  
 24 include any money in the budget for  
 25 the repayment of this loan. So he

1 assumed in preparing the budget that  
 2 100 percent of these delinquent taxes  
 3 would be collected so that there would  
 4 be no obligation by the city to  
 5 Pennstar Bank at the end of the year.  
 6 I reported this at our meeting on  
 7 March 8th. In reviewing the budget,  
 8 there was nothing in there for the  
 9 repayment of this debt obligation. So  
 10 right now this entire obligation in  
 11 the 1.5 million that has been demanded  
 12 by Pennstar Bank to be repaid in the  
 13 30 days I think we better take some  
 14 excess money and maybe buy a lottery  
 15 ticket and hope it could win part of  
 16 the 144 million dollars. But I would  
 17 look at this, this is right now demand  
 18 has been made, I don't see how the  
 19 city can come up with the money to pay  
 20 that and Pennstar has taken their  
 21 action. I have ideas as to what  
 22 they're going to do but I'm not going  
 23 to communicate them here tonight  
 24 because I'm not going to tell Pennstar  
 25 what should be done. That's not my

1 job. But that's the problem the city  
 2 has. In addition with this loan and I  
 3 read in the paper, I was away this  
 4 weekend and I came back, I believe  
 5 that there was report that somehow  
 6 it's reported that the city without  
 7 this is somehow in a deficit of close  
 8 to six million dollars. I had here a  
 9 copy of the city's administrative  
 10 code, must be misplaced with all my  
 11 papers. I believe it's Article 16A on  
 12 the budget with the administrative  
 13 code. Here I found it. I'm sorry.  
 14 It's 6.12 of the budget. With the  
 15 administration knowing now or at least  
 16 reporting there is going to be payless  
 17 paydays, I thought they said it was  
 18 going to be in July because there's  
 19 not enough money. There's a real  
 20 problem with the budget. I believe  
 21 that a letter would be in order for  
 22 council to direct Mrs. Krake, the city  
 23 clerk to write a letter to the mayor  
 24 and ask what is going to happen or  
 25 request information under Article 6 of

1 the Administrative Code in section  
 2 6-12B. It's the last sentence. It  
 3 says if at any time during the budget  
 4 year the business administrator shall  
 5 ascertain the probability of a cash  
 6 deficit, he shall reconsider the work  
 7 programs and allotments of the several  
 8 offices, departments and agencies.  
 9 Upon such reconstruction and with the  
 10 approval of the mayor and council, the  
 11 business administrator shall revise  
 12 the allotments so as to forestall as  
 13 far as possible the making of  
 14 commitments and expenditures in excess  
 15 of the revenue to be realized during  
 16 the fiscal year. We know that the tax  
 17 anticipation note, five million of  
 18 that, that when that came this year in  
 19 January, that was used to pay off last  
 20 year's TAN which is a violation not  
 21 only of the ordinance but also the  
 22 Union Debt Act. You cannot use TAN  
 23 monies to pay off a previous year's  
 24 TAN. That was an illegal transaction.  
 25 So there's a five million dollar

1 deficit right there. But this 1.5  
 2 million, you're looking at least 6.5  
 3 million because with the tax  
 4 anticipation note and the reason it  
 5 can't be used to pay off the tax  
 6 years, that's to fund the expenditures  
 7 of the city during the period of time  
 8 and until the tax revenue start coming  
 9 in. So the real estate tax bills go  
 10 out and other revenue start coming in,  
 11 then as that revenue comes in, that's  
 12 to pay off the TAN, not to use the TAN  
 13 to pay off the previous year's TAN.  
 14 So this year we have to make sure or  
 15 at least next year's budget that all  
 16 tax anticipation notes cannot be used  
 17 and the controller has to be sent a  
 18 copy of that ordinance. I assume that  
 19 she had it which it outlines and  
 20 highlighted that it cannot be used to  
 21 payoff last year's TAN which means  
 22 that 2012 that tax anticipation not  
 23 has to be solely used to finance the  
 24 government. So these are the problems  
 25 you have and right now you know that

1 TAN did not go to pay this current  
 2 year's expenses and that the monies as  
 3 they came in, you know, until the tax  
 4 monies came in. So it would appear  
 5 right now you're looking the best case  
 6 scenario it would be a 6.5 million  
 7 dollar deficit. That's the best case  
 8 scenario. Who knows what else is out  
 9 there. You know, what we call the  
 10 finance -- some lawyers call it a  
 11 financial world. You know, it's the  
 12 woodwork file, you know, that comes  
 13 out of -- it's likes worms coming out  
 14 of the woodwork. You know, after you  
 15 buy a business, you look around, if  
 16 you haven't done your due diligence,  
 17 all of a sudden there's a lot of  
 18 unpaid bills that the buyer is  
 19 responsible. So I think there could  
 20 be a real woodwork file here in this  
 21 but, you know, it would be my opinion  
 22 that based on everything that I've  
 23 seen that right now you're looking at  
 24 a minimum of a 6.5 million dollar  
 25 deficit and Section 612B should be

1 addressed, you know, by the  
 2 administration and by the business  
 3 administrator as to how it's going to  
 4 be handled. I have nothing further.  
 5 MS. EVANS: Mrs. Krake, if we  
 6 could please send a letter to the  
 7 mayor and the business administrator  
 8 requesting the information cited by  
 9 Solicitor Hughes in accordance with  
 10 Section 612B of the Administrative  
 11 Code. I wanted to add just one item.  
 12 I know that during our previous  
 13 discussions of this situation publicly  
 14 at our council meetings, Solicitor  
 15 Hughes had noted that once again the  
 16 SRA had received costs here of  
 17 \$187,475 for this agreement. We do  
 18 not know for what purposes. A letter  
 19 was sent to the SRA requesting a  
 20 breakdown for this amount of money  
 21 that they've received from this  
 22 Pennstar Bank loan and to date no  
 23 answer has been provided by the SRA.  
 24 Mr. Joyce, if you would like to  
 25 continue, please.

1 MR. JOYCE: Sure. All right.  
 2 Well --  
 3 MR. HUGHES: Sorry, I took so  
 4 long.  
 5 MR. JOYCE: I'm not in the tax  
 6 collection business by any means but I  
 7 would assume that a 98 percent  
 8 collection rate is rare and in my  
 9 opinion this was a poor decision that  
 10 was made in 2007 and in 2011 we're  
 11 going to have to pay for it. As one  
 12 can assume, it's been mentioned,  
 13 repayment of this defaulted loan was  
 14 not included in the 2011 operating  
 15 budget that was sent down by the  
 16 administration. Furthermore, neither  
 17 the administration, nor the  
 18 Redevelopment Authority notified  
 19 Scranton City Council that this loan  
 20 was apparently in danger of landing in  
 21 default status.  
 22 And I believe Mrs. Evans covered  
 23 this but, Mrs. Krake, would you be  
 24 able to send a letter to Mr. McGowan  
 25 and copy to Mayor Doherty, and one, I

1 want to add some things. Ask if the  
 2 city intends to pay this obligation on  
 3 time, and if so, what will be  
 4 compromised in order to pay for this  
 5 obligation. In addition to this,  
 6 please send a letter to Mayor Doherty  
 7 and Mr. McGowan asking them to meet in  
 8 council chambers prior to our  
 9 regularly scheduled meeting for the  
 10 purposes of discussing their solutions  
 11 to handle the deficit created by the  
 12 administration's 2010 budget as well  
 13 as previous budgets, in addition to  
 14 the 1.5 million dollar obligation that  
 15 is now owed by the city to Pennstar  
 16 Bank. Please request them to meet at  
 17 a meeting when they will both be  
 18 available. As one knows, city council  
 19 has already offered suggestions on how  
 20 to handle the deficit that was created  
 21 by the administration in the past. I  
 22 believe Mr. McGoff mentioned some  
 23 things like the sale of parking  
 24 meters. Mr. Rogan had mentioned the  
 25 privatization of the DPW and the

1 Scranton Sewer Authority. Others have  
 2 mentioned the refinancing of the debt.  
 3 There are definitely some cons and  
 4 there are pros to each one of those.  
 5 So I think a discussion amongst all  
 6 elected officials in a public forum  
 7 would be a very good place to start.  
 8 Also, I would like to discuss how city  
 9 council can be better informed by the  
 10 administration on matters such as the  
 11 Pennstar Bank default ahead of time  
 12 rather than being notified when the  
 13 loan actually goes into default  
 14 status.

15 With that being said, I also have  
 16 a few pieces of mail that came in.

17 MR. HUGHES: If I could on that,  
 18 Mr. Joyce, just very briefly. When I  
 19 did the memorandum to council on  
 20 March 4th, I attached Attorney  
 21 Winfield's letter to Attorney Kelly  
 22 and Attorney Greco. That was dated  
 23 February 25th and he was trying to find  
 24 out what the SRA and the city was  
 25 going to do to address the issue and

1 looking for a solution in a meeting.  
 2 That's virtually three months -- three  
 3 months has transpired since that  
 4 letter and this letter of May 19th and  
 5 nothing has been done so obviously  
 6 there's been no -- they haven't come  
 7 up with a solution. So it would  
 8 appear that not coming up with a  
 9 solution over the last three months,  
 10 here it is in May and having been  
 11 declared in default. Now, legally  
 12 what could happen is that the city  
 13 could nothing. Pennstar Bank would  
 14 have to file a lawsuit and, of course,  
 15 the city would have to defend that.  
 16 That's a different issue. There  
 17 probably would be some time but  
 18 there's a clock ticking on this. It's  
 19 like the show when I was a kid, Beat  
 20 the Clock, you know, it just keeps  
 21 moving and, you know, if you can beat  
 22 the clock, you win. This is going to  
 23 come up by the end of this year and  
 24 there's a provision in here that this  
 25 has to be paid by December, I believe,

1 it's 15 with the notice and if it's  
 2 not paid by the end of the year, the  
 3 city will be in default and I would  
 4 assume that Pennstar will really take  
 5 action at that time. It's not as  
 6 though the 30 days is there. I mean,  
 7 that's a date but Pennstar then has to  
 8 take action against the SRA and then  
 9 eventually against the city.

10 MR. JOYCE: Right. And another  
 11 idea that was mentioned by city  
 12 council was either the sale or leasing  
 13 of parking garages. Now, just to  
 14 comment briefly. Why I think it's  
 15 useful for the mayor and the business  
 16 administrator to come into council  
 17 chambers to discuss these with us is  
 18 because we have to weigh what are the  
 19 pros and what are the cons of doing  
 20 this. For instance, would privatizing  
 21 the DPW and going to a system where  
 22 garbage tags where someone would pay  
 23 by the bag, would that be worthwhile.  
 24 It may not be because the residents  
 25 may end up paying more money as a

1 result. So we have to examine would  
 2 it really be a good idea to entertain  
 3 privatizing something such as the DPW.  
 4 I'm starting to lean in the negative  
 5 of that. And also with selling of  
 6 parking meters, that takes away  
 7 revenue that the city realizes in it's  
 8 operating budget every year. And also  
 9 we saw just what happened with the  
 10 sale of delinquent taxes. So if we  
 11 were to sell parking meters to the  
 12 Scranton Parking Authority, we know  
 13 that they're not in the financial  
 14 shape either. Is it going to lean on  
 15 them possibly trying to take out a  
 16 loan to advance the city some cash and  
 17 then perhaps defaulting on it at a  
 18 later date leaving us in a bind at  
 19 some point in the future. So these  
 20 are some of the issues that I would  
 21 like to clear up.

22 Also, to go onto some other  
 23 matters. We've received some mail  
 24 from the National League of Cities.  
 25 We received an invitation to complete

1 the 2011 city fiscal survey. If you  
 2 could please send a note to Mr.  
 3 McGowan and ask if we are going to  
 4 complete that by Friday, May 27th.  
 5 Also our auditor, Rossi and Rossi, has  
 6 notified us of ten open items. If you  
 7 would please send a note to Mr.  
 8 McGowan and ask for a status report of  
 9 that as well. I understand that the  
 10 office may be very busy at the present  
 11 time with some of the issues going on  
 12 such as discussed tonight, however, if  
 13 they could provide us a status report,  
 14 it would be greatly appreciated.

15 Also, I've been stating up here  
 16 that I would like meetings between the  
 17 administration and council to discuss  
 18 cash flow issues to be held in a  
 19 public setting. I know that Mr.  
 20 McGowan has reached out to me, and I  
 21 have stated a few times at council to  
 22 move the PEL meetings to possibly a  
 23 time before 4 o'clock during the  
 24 weekdays. Unfortunately I do have a  
 25 full-time position, and I cannot

1 attend PEL meetings at those times.  
 2 Now, I received a note from Mr.  
 3 McGowan about moving the PEL meetings,  
 4 add, I -- perhaps nothing was sent  
 5 over and I know we've been very busy  
 6 in the office notifying them that I  
 7 cannot attend a PEL meeting at any  
 8 time during the week before 4 o'clock.  
 9 With that in mind, if we could please  
 10 send that note over to Mr. McGowan.  
 11 He states in his correspondence to me  
 12 that at the PEL meetings personnel  
 13 issues are discussed and I know that  
 14 because in my place our city clerk,  
 15 Nancy Krake, attends them, and I have  
 16 her take notes for me, and I received  
 17 her minutes of the meeting. And I  
 18 understand that the personnel issues  
 19 cannot be discussed in a public  
 20 setting, add, the intent of getting  
 21 the mayor and the business  
 22 administrator into council chambers is  
 23 to discuss financial issues, not  
 24 personnel issues. So that's all I  
 25 really have to say about that.

1 And just two citizens requests.  
 2 I've been contacted by an East  
 3 Mountain resident residing on the 1300  
 4 block of East Elm Street who informed  
 5 me that the condition of this block is  
 6 in poor condition due to some of the  
 7 recent rainstorms resulting in a lot  
 8 of water runoff. In addition, this  
 9 resident has also informed me that the  
 10 block is marked no truck traffic, add,  
 11 trucks are driving up and down the  
 12 block. With this in mind, can you  
 13 please forward this over to Mr. Brazil  
 14 and ask him if the condition of this  
 15 road can be repaired. I understand  
 16 from speaking with various East  
 17 Mountain residents, not only this year  
 18 but in previous years that water  
 19 runoff issues are a major concern in  
 20 that area. Also, if you can please  
 21 add this to the letter to Mr. Brazil  
 22 that I've been informed by a resident  
 23 residing on the 900 block of West  
 24 Lackawanna Avenue that a Verizon who  
 25 was parking on the sidewalk took out

1 the 'no parking' sign and 'school  
2 crossing' in the vicinity of 930 West  
3 Lackawanna Avenue. They really  
4 shouldn't be parking on the sidewalk  
5 anyways. But the resident informed me  
6 that the Verizon representative phoned  
7 the DPW, however, nothing has been  
8 done as of yet. And with all due  
9 respect to the DPW, I know that they  
10 are busy people as well. The resident  
11 informed me that this happened on May  
12 19th and we still are in the month of  
13 May so if you could just send a gentle  
14 reminder over to Mr. Brazil that this  
15 situation still exists and if you  
16 could ask him to have it taken care of  
17 as soon as he could. And that's all.

18 MS. EVANS: And thank you,  
19 Councilman Joyce. Good evening. I'd  
20 like to begin by congratulating my two  
21 colleagues, Councilman Bob McGoff and  
22 Jack Loscombe as well as Mr. Morgan  
23 for their victories in the primary  
24 election. I also commend and  
25 congratulate all city council

1 candidates for their tremendous  
2 efforts and their desire to serve our  
3 city.  
4 Next, I'd like to remind all  
5 Scranton residents that the first half  
6 of garbage bills are due by May 31st.  
7 Again, the first half of garbage bills  
8 are due by May 31st. Following last  
9 week's election, Mrs. Krake informed  
10 me that Mayor Doherty had taken  
11 unusual action regarding city  
12 council's reminders to put the broker  
13 of record and city insurances out to  
14 bid prior to the June 30th, 2011,  
15 expiration date of the contract. And  
16 I know that my colleague, Councilman  
17 Loscombe, has addressed this topic in  
18 great detail. The contract with  
19 Knowles Associates had not been bid in  
20 2010 for the 2011 insurance coverage.  
21 If fact, the broker of record has  
22 never been put out to bid thereby  
23 eliminating any possibility of  
24 competitive bids and saving money  
25 throughout a ten-year period. After

1 careful review in January, Councilman  
2 Loscombe discovered that some of the  
3 city's insurance policies were  
4 inappropriate as he stated earlier in  
5 that some are underinsured while  
6 others are overinsured. As a result  
7 council passed legislation to award te  
8 contract to Knowles Associate only for  
9 a period of six months during which  
10 time the city administration was to  
11 put the broker of record position and  
12 consequently city insurances out to  
13 bid. The mayor signed the  
14 legislation. Last week, add, the  
15 mayor crossed out his signature on the  
16 legislation and wrote the word  
17 'rescinded' next to his signature in  
18 order to stop the bidding process.  
19 Now, a mayor has only ten days in  
20 which to veto legislation according to  
21 law. Add, now four months later Mayor  
22 Doherty believes he can rescind his  
23 signature. Such an act would set a  
24 precedent allowing any mayor,  
25 including Mayor Doherty himself to

1 rescind all or any of his signatures  
2 on all or any pieces of legislation at  
3 any time. Throughout my eight years  
4 of public service as a councilwoman,  
5 such an act has never been performed.  
6 Mayor Doherty's action appears to  
7 grant himself powers that are not  
8 provided to him by law. On the advice  
9 provided by counsel, Solicitor Hughes,  
10 I have placed this legislation on  
11 tonight's agenda in Seventh Order for  
12 a veto override and at this time I  
13 will defer to Attorney Hughes for his  
14 comments.

15 MR. HUGHES: Thank you, Madame  
16 President. Yes, procedurally what  
17 happened here is that this legislation  
18 was originally sent down by the  
19 Solicitor's Office. There were some  
20 amendments made to the legislation and  
21 it was passed by council on  
22 January 18th of this year with the  
23 amendments. As is the procedure from  
24 the city clerk, when it goes down to  
25 the mayor, the ordinance as drafted is

1 sent down to the mayor along with all  
 2 of the motions, if there are any,  
 3 which makes the amendments. It's  
 4 attached right to the resolution.  
 5 Then the mayor has the right to sign  
 6 the ordinance or resolution as  
 7 appropriate or to veto it as amended.  
 8 In this case what he did with  
 9 Resolution No. 1 of 2011 as amended,  
 10 he signed it. The procedure then is  
 11 it comes back up to the city clerk,  
 12 it's logged in that it was passed, it  
 13 was not vetoed and it's sent up to the  
 14 Law Department for them to retype the  
 15 ordinance, I'll call it, a redacted  
 16 version in order to put in items that  
 17 were inserted and to remove items that  
 18 were deleted so that there's a clean  
 19 resolution, so that when it is passed,  
 20 so that now it's entered, it doesn't  
 21 have the resolution as was submitted  
 22 with all of the attachments with the  
 23 amendments to it so somebody would  
 24 have to go and look and say, well, now  
 25 what was amended and what was taken

1 out, either taken out or put in. And  
 2 this is what we call a clean version.  
 3 At least I call it a clean version  
 4 which is Resolution No. 1. It then  
 5 comes back to the city clerk. This  
 6 happened to come back I believe  
 7 sometime in May or almost well over  
 8 four months later. It then comes back  
 9 to the clerk, they type in when it was  
 10 passed by council, Mrs. Evans as  
 11 president put her signature on the  
 12 clean version and it went to the  
 13 mayor. The mayor then signs -- he  
 14 signs it, strikes out his name and  
 15 puts rescinded on it, 5-19-11.  
 16 There's absolutely no provision in the  
 17 Home Rule Charter of the  
 18 Administrative Code for this action.  
 19 It's kind of a Catch 22 situation now  
 20 as to how do you proceed. The  
 21 ordinance was lawfully passed, the  
 22 ordinance was executed by the mayor as  
 23 amended. The ordinance became law  
 24 when the mayor signed it. I don't  
 25 know the exact day he signed it but it

1 had to be between the 18th and the  
 2 28th of January. So it's signed by  
 3 him and now it goes back to be  
 4 retyped. The mayor's act is merely a  
 5 ministerial act. It's no decision  
 6 making in his. He's already signed,  
 7 he's passed it. So now the issue is  
 8 since there's nothing within the Home  
 9 Rule Charter of the Administrator Code  
 10 for the action that the mayor did and  
 11 it seems what he's trying to do is to  
 12 veto the ordinance almost four months  
 13 after he signed it to enact it into  
 14 law. If you do nothing, it would be  
 15 the mayor's contention that, well, I  
 16 rescinded my signature. You can't  
 17 rescind your signature. There's no  
 18 provision for it legally to do it. So  
 19 in reviewing this I thought the best  
 20 thing to do so it doesn't happen and  
 21 it could happen again would be to  
 22 consider his rescission of his  
 23 signature as an attempted veto four  
 24 months after the act when he signed  
 25 it. So I take his actions as being a

1 veto which is four months late but I  
 2 would recommend that this be placed --  
 3 it is placed on the agenda in Seventh  
 4 Order to override his rescinding of  
 5 the ordinance which is a veto. It's  
 6 duplicative talk. I feel like a dog  
 7 chasing my tail here. But it's the  
 8 only way that council can protect  
 9 itself in this ordinance is to place  
 10 it on the agenda and to veto what he  
 11 did so that the ordinance was  
 12 originally passed and executed, his  
 13 attempted rescission now is being  
 14 vetoed by council, you're overriding  
 15 his rescission which is an attempted  
 16 veto. It's probably as clear as mud  
 17 but, I mean, that's pretty much what  
 18 the procedure is. It's -- I would  
 19 recommend that his attempted  
 20 rescission be vetoed by council so  
 21 that there be no if's, and's or but's  
 22 about it and hopefully it will never  
 23 happen again.  
 24 MS. EVANS: Thank you, Solicitor  
 25 Hughes. No mayor is above the law.

1 No mayor can change the law and no  
 2 mayor can invent laws to accommodate  
 3 himself and his paid to play  
 4 associates. Undoubtedly state  
 5 governors and U.S. presidents would  
 6 enjoy granting themselves the right to  
 7 cross out and rescind their signatures  
 8 unlegally and lawfully adopted  
 9 legislation. Add, none are so  
 10 arrogant as to do so. I ask you is  
 11 this the type of individual with whom  
 12 anyone can work say for those who wish  
 13 to follow orders. Equally important,  
 14 why does the mayor display such  
 15 disregard for the bidding process for  
 16 suitable insurance coverage and for  
 17 saving money. He's demonstrated a  
 18 total disregard in this matter for the  
 19 taxpayers and for a separate but equal  
 20 branch of government. Therefore, with  
 21 my colleague's agreement, I am asking  
 22 Solicitor Hughes to send a letter to  
 23 Knowles Associates with a copy of the  
 24 ordinance attached to notify them that  
 25 continuation of their services after

1 June 30th, 2011, without a new  
 2 ordinance extending th timeframe of  
 3 the contract constitutes a violation  
 4 of the city ordinance and a  
 5 continuation of services without said  
 6 ordinance will occur at their own risk  
 7 and at the risk of exposure to their  
 8 own errors and omissions insurer. The  
 9 mayor's action serve to reinforce my  
 10 belief that meetings between city  
 11 council members and city  
 12 administrators must be conducted in  
 13 public. So I am in total agreement  
 14 with the remarks made earlier by  
 15 Councilman Joyce. Well, members of  
 16 the administration wish to meet  
 17 privately with council to discuss  
 18 arrangements for closing the budget  
 19 deficit, city council wishes to meet  
 20 publicly in council chambers, not only  
 21 with these administrators but more  
 22 importantly with the mayor to discuss  
 23 his recommendations which first should  
 24 be presented in writing to city  
 25 council in compliance with the Home

1 Rule Charter. The future of our city  
 2 belongs to all city residents. Hasty  
 3 closed door meetings have led to  
 4 result such as the ill conceived  
 5 agreement between the Scranton  
 6 Redevelopment and Pennstar Bank which,  
 7 as we said, landed the SRA in a  
 8 position of default for an agreement  
 9 that was destined to fail before the  
 10 ink was dry on the signatures and in  
 11 another case it has led to annual  
 12 shell games with Worker's Comp excess  
 13 funds and tax anticipation notes. I  
 14 believe a public meeting will  
 15 encourage all those involved to act  
 16 with wisdom and compromise and caution  
 17 in the best interest of the people.  
 18 Finally, I have citizens' request  
 19 for the last two weeks. Scranton  
 20 residents and neighbors of the  
 21 properties request the demolition of  
 22 structures located at 425 and 4207  
 23 East Market Street which present both  
 24 health and safety dangers to their  
 25 neighborhood.

1 A South Side resident reports  
 2 overgrown grass, weeds and rodents at  
 3 an apartment building located at 934  
 4 Hemlock Street. Please send an  
 5 inspector to review and address this  
 6 report.  
 7 Neighbors report that renters of  
 8 the rear 1435 Academy Street are  
 9 throwing items over a privacy fence.  
 10 The area is becoming a dumping ground  
 11 for bicycles and wheel barrel, toy  
 12 scooters, cars and a toy stove. In  
 13 addition, the overgrowth of weeds and  
 14 grass at this location is blocking the  
 15 one way sign on Division Street.  
 16 Please send an inspector to this  
 17 location and address these issues as  
 18 soon as possible.  
 19 At the rear of Matthew Avenue to  
 20 the paving list requested by Hill  
 21 Section residents, a letter to the  
 22 mayor, Miss Aebli and Mr. Brazil  
 23 requesting that the Novembrino Swim  
 24 Complex remain functional throughout  
 25 the 2011 summer season, construction

1 on the splash pond should begin in  
2 September. And when will the Scranton  
3 Parking Authority install parking  
4 meters in the 500 block of Lackawanna  
5 Avenue in compliance with Ordinance  
6 No. 100 of 2009.

7 And finally having discussed an  
8 issue earlier today with Solicitor  
9 Hughes, it was brought to my attention  
10 that an a number -- quite a large  
11 number actually of individuals who are  
12 trying to buy and sell properties  
13 within the City of Scranton are  
14 running up against a brick wall. In  
15 fact, if I might, I think I'll let you  
16 tell this, Solicitor Hughes.

17 MR. HUGHES: I feel like the  
18 sixth councilman.

19 MS. EVANS: Yes, you are.

20 MR. HUGHES: I've had several  
21 lawyers contact me regarding a  
22 situation of their inability to close  
23 on real estate transactions due to the  
24 failure of the City of Scranton to  
25 give tax searches on delinquent city

1 taxes. One lawyer I talked with  
2 today, he has three pending  
3 transactions that he cannot get any  
4 information for out of the Treasure's  
5 Office, cannot close the properties  
6 because he could not issue title  
7 insurance on it. This is not only  
8 affecting the city's ability to obtain  
9 or to recover delinquent taxes  
10 including the years four, five and six  
11 which would go to pay Pennstar, but  
12 taxes going back to the time of  
13 memorial for as long as the  
14 Treasurer's Office has kept these tax  
15 delinquencies. Not only is the city  
16 not getting the tax revenue from tax  
17 delinquent properties if there would  
18 be any tax delinquencies when they are  
19 sold, but the city is also losing  
20 realty transfer tax, not only the city  
21 but the school district and also the  
22 state. And I've had other lawyers  
23 contacting me regarding this. He said  
24 to me he had talked to Attorney Kelly,  
25 you know, regarding this issue. The

1 mayor's budget this year eliminated  
2 the tax clerk position in the city  
3 treasurer's office and that position  
4 was -- that person really would when  
5 requests come in from lawyers would go  
6 and check the city's records, send to  
7 the lawyer a statement as to whether  
8 there were delinquent taxes and what  
9 years and what the amounts and the  
10 penalty and the interest were. That  
11 position is no longer there. It's  
12 affecting the city's ability, it's  
13 affecting to collect delinquent real  
14 estate and also to get realty transfer  
15 tax. I've recently had a closing,  
16 fortunately it was a corporate seller,  
17 they had impeccable records, the title  
18 company accepted the records, all of  
19 their taxes had been paid and the  
20 title -- the closing went through and  
21 the city obtained the realty transfer  
22 tax on that. What I would recommend  
23 to council is that Mrs. Krake be  
24 authorized to write a letter to Mr.  
25 Kelly, city solicitor, for him to

1 draft legislation to amend the city  
2 budget and put in the position of the  
3 tax -- to reinstate the tax clerk  
4 position in the city treasurer's  
5 office, and I think that council would  
6 agree that this position should be  
7 reinstated. The question where the  
8 money is going to come from, I know  
9 there's been over two million dollars  
10 reported that's come in from the Mercy  
11 Hospital. The reason that the Mercy  
12 Hospital transaction could close is  
13 that the Mercy Hospital was a  
14 nonprofit, didn't have to pay real  
15 estate tax so the buyer of for-profit  
16 corporation didn't have to worry about  
17 getting a tax search. There was no  
18 reason for it. If this were a  
19 private -- let's say it was a private  
20 hospital that was selling to another  
21 private hospital, they would want  
22 title insurance. The first thing they  
23 do is come to the city and say give us  
24 a search as to whether there's any  
25 delinquent taxes here going back into

1 the twenties or add far back they  
 2 wanted to go. It could have held up  
 3 in transaction and it is holding up  
 4 transaction. So my recommendation  
 5 would be that the council consider  
 6 putting that position back in the  
 7 budget, requesting the Solicitor's  
 8 Office to draft that legislation,  
 9 restore the position and to the salary  
 10 that it was and I certainly think that  
 11 the person who has that position would  
 12 create -- would very soon generate,  
 13 you know, monies from the delinquent  
 14 taxes and realty transfer taxes from  
 15 closing that aren't taking place.

16 That's my recommendation.

17 MS. EVANS: And thank you,  
 18 Solicitor Hughes. And so I would ask  
 19 Mrs. Krake that we send a letter to  
 20 the mayor and the city solicitor  
 21 requesting that the city solicitor  
 22 amend the 2011 operating budget to  
 23 reinstate the tax clerk, the position  
 24 of tax clerk in the Treasurer's  
 25 Office.

1 And I just wanted to add that  
 2 having had a brief conversation with  
 3 one of the department heads within the  
 4 last two weeks, it was suggested that  
 5 all of our requests from every council  
 6 member be forwarded to the mayor along  
 7 with the department to which we're  
 8 directing the request because the  
 9 mayor has stated during cabinet  
 10 meetings that if our requests are not  
 11 made first to him, that the department  
 12 heads are not to take care of anything  
 13 that we have requested. So if we can  
 14 make sure -- I know it's tedious, I  
 15 know it seems like a terrible waste of  
 16 paper and time but that's been the  
 17 mayor's response that he wants to  
 18 adhere to the Home Rule Charter and so  
 19 council certainly will continue to do  
 20 that and along with any requests made  
 21 tonight by anyone and going forward  
 22 make sure that the mayor has  
 23 everything he needs, please.

24 MR. MCGOFF: I just wanted to ask  
 25 if anybody has been in contact with

1 Mr. Boland to determine if it is, in  
 2 fact, a personnel issue that is  
 3 causing the delays in doing this?

4 MS. EVANS: Actually I believe  
 5 our office, specifically Mrs. Krake,  
 6 had been in contact with him on  
 7 several occasions and he, himself, has  
 8 stated that, you know, there is -- -  
 9 we, in fact, addressed it at a  
 10 previous council meeting many weeks  
 11 back that a backlog of over a  
 12 100 cases at that time had emerged  
 13 because of the absence of this tax  
 14 clerk and that because Mr. Boland, for  
 15 example, being relatively new to the  
 16 position, you know, he could have used  
 17 the assistance of someone who was very  
 18 familiar with the process and to have  
 19 eliminated that has really caused, as  
 20 I said, tremendous problems,  
 21 tremendous backlogs and it's causing a  
 22 problem for purchasers and sellers of  
 23 properties and we're losing tax  
 24 revenue as a result --

25 MR. MCGOFF: I did have somebody

1 call me about the same issue. I was  
 2 wondering if we had talked to Mr.  
 3 Boland.

4 MS. EVANS: Yes.

5 MR. MCGOFF: Thank you. Thank  
 6 you, Mrs. Krake.

7 MS. EVANS: Yes, this had been I  
 8 think quite while back.

9 MR. HUGHES: It's my  
 10 understanding from the attorneys I've  
 11 talked to that when they make at the  
 12 Treasurers's Office, they're told that  
 13 there's no one there that can do it.  
 14 So that it -- I mean, this is  
 15 critical. I mean, it's affecting --  
 16 it's affecting the public. It's  
 17 affecting, you know, people who want  
 18 to sell a house and people who want to  
 19 buy a house, and it's a major problem.  
 20 They're frozen that they can't sell  
 21 their property because they can't get  
 22 title insurance. Now, somebody who  
 23 doesn't need -- that wants to buy it  
 24 without title insurance, if it's a  
 25 cash transaction, they're not going

1 through a bank that requires, you  
 2 know, title insurance or a lending  
 3 insurance, they can take place.  
 4 Fortunately the one I had talked  
 5 about, that was a cash transaction and  
 6 it was between two corporations, it  
 7 was a cash transaction. There was no  
 8 mortgage involved. There was title  
 9 insurance involved but fortunately the  
 10 people had the records that were  
 11 necessary.

12 MR. JOYCE: And if I might add,  
 13 we're talking about adding a tax clerk  
 14 which is probably give or take a few  
 15 thousand dollars here or there. It's  
 16 probably about a 31 or \$32,000  
 17 position.

18 Just to give you a snapshot of  
 19 where we are because I know personally  
 20 I look over Mr. McGowan's reports to  
 21 the state every year and so far with  
 22 the collection of delinquent real  
 23 estate taxes, we are significantly  
 24 below where both council and the  
 25 administration suggested in both the

1 operating budget and subsequent budget  
 2 amendments. And -- well, actually  
 3 current real estate tax were about a  
 4 million over but delinquent real  
 5 estate tax, I believe the number is  
 6 maybe five or \$600,000 under what has  
 7 been projected for the year. So the  
 8 addition of the tax clerk for \$30,000  
 9 to actually realize a couple \$100,000  
 10 more worth of revenue is definitely  
 11 worth it in my opinion.

12 MS. EVANS: Thank you.

13 MR. MCGOFF: Were you finished?

14 MS. EVANS: Oh, yes.

15 MR. MCGOFF: I did want to ask  
 16 one question unrelated to that. I  
 17 meant to ask it before.

18 Somebody had asked me -- and it  
 19 was mentioned, the Perry Street  
 20 Playground, will we be seeing  
 21 legislation for that grant?

22 MS. EVANS: My concern with that  
 23 legislation is that without having the  
 24 city's insurance matter straightened  
 25 out, we really can't -- we can't

1 afford it at this time to be adding  
 2 any additional property in terms of  
 3 coverage so perhaps if the city gets  
 4 the insurances corrected, then we can  
 5 entertain this but I would say -- and  
 6 that's why basically I kept it off the  
 7 agenda because I thought it was a  
 8 project certainly that is worth the  
 9 consideration of city council but  
 10 because of, you know, this outstanding  
 11 and significant problem we have, we're  
 12 facing with the broker of record and  
 13 city insurances and the fact that some  
 14 things are as was noted covered --  
 15 insured inappropriately. I don't  
 16 think we want to add anything to that  
 17 list right now. So if council, add,  
 18 would rather bring it to the agenda  
 19 and a vote more quickly rather than  
 20 waiting to see if we can do the right  
 21 thing on the city insurance, we can  
 22 put it on the agenda, but I would say  
 23 at this time because of that I  
 24 wouldn't be able to support it.

25 Is there any type of feedback

1 from council members on what you would  
 2 like to do with the placement of this  
 3 legislation on the agenda?

4 MR. ROGAN: I have no preference.  
 5 I think we have a lot bigger problems  
 6 to tackle than another park  
 7 personally, so.

8 MR. MCGOFF: I just -- the people  
 9 that I talked to would -- wanted to  
 10 move forward on the project. I know  
 11 the neighbors have been waiting for --  
 12 it was going to be community build and  
 13 the neighbors were waiting for the  
 14 funding and, you know, to move forward  
 15 with it because they thought it would  
 16 be beneficial to their neighborhood.

17 Also, maybe I'll look into the  
 18 insurance part of it and what  
 19 insurance is needed but I would assume  
 20 that if other playgrounds are insured  
 21 that at this time, that this also  
 22 would be -- would come under the same  
 23 coverage, so.

24 MS. EVANS: Well, I imagine it  
 25 would be added to it, but we don't

1 even know with the coverage that we  
2 have for any of the existing parks is  
3 appropriate. So it's a very -- it's a  
4 very difficult situation.

5 Is there anyone else with any  
6 input?

7 MR. JOYCE: Yes. One thing I  
8 would like to know is the city  
9 required -- I know it's a \$50,000  
10 grant. I know Mr. McGoff you said at  
11 a previous meeting, I'm not sure at  
12 this point and excuse me for being a  
13 little ignorant on it, is the city  
14 required to match funds on the 50,000?

15 MR. MCGOFF: No.

16 MR. JOYCE: That's all I wanted  
17 to know.

18 MR. LOSCOMBE: And I just -- this  
19 is not on this. I just wanted to add  
20 because I wasn't able to get in  
21 before. On the Tax Office issue -- or  
22 the Treasurer's Office issue that I  
23 was in there personally last week, and  
24 I did see the backlog of searches that  
25 they're unable to get to because

1 they're dealing on a regular basis  
2 with other phone calls, with people  
3 paying tickets, it's a continuous flow  
4 in there, and they did point them out  
5 to me. So I think this is an  
6 excellent solution.

7 MR. MCGOFF: On the legislation,  
8 I will look into coverages and if  
9 it's -- if we have insurance for the  
10 playground and I will get in touch  
11 with you and if we can put it on the  
12 agenda, if everything meets approval,  
13 then hopefully we can get it on the  
14 agenda as soon as possible. Thank  
15 you.

16 MS. EVANS: And that's, I think,  
17 a good resolution. We'll hold it  
18 until we do some further investigation  
19 into it but I have to add that I think  
20 it is essential right now that the  
21 city put the broker of record out to  
22 bid. Short of that, I can't see  
23 making any additions to any of  
24 coverage and particularly in light of  
25 this budget deficit, we're looking to

1 bring in as much money as we can, to  
2 save as much money as we can, I really  
3 should be saying. But in addition to  
4 that, I think we also have to be  
5 mindful of related expenses and  
6 maintenance throughout the years, and  
7 it's going to be, I think, a  
8 considered decision.

9 And, Mrs. Krake?

10 MS. KRAKE: 5B. AUTHORIZING THE  
11 MAYOR AND OTHER APPROPRIATE OFFICIALS  
12 OF THE CITY OF SCRANTON TO ENTER INTO  
13 LEASE AGREEMENTS WITH VARIOUS LITTLE  
14 LEAGUE, TEENER LEAGUE, MISS-E LEAGUE,  
15 AND JUNIOR AND/OR MIDGET FOOTBALL  
16 LEAGUE ASSOCIATIONS FOR USE  
17 OF CITY OWNED PROPERTY IN CONNECTION  
18 WITH APPROVED LITTLE LEAGUE, TEENER  
19 LEAGUE, MISS-E LEAGUE, AND JUNIOR  
20 AND/OR MIDGET FOOTBALL LEAGUE  
21 ACTIVITIES FOR A THREE-YEAR PERIOD  
22 COMMENCING APRIL 15, 2011 AND ENDING  
23 APRIL 14, 2014.

24 MS. EVANS: At this time I'll  
25 entertain a motion that Item 5B be

1 introduced into its proper committee.

2 MR. ROGAN: So moved.

3 MR. JOYCE: Second.

4 MS. EVANS: On the question? All  
5 those in favor of introduction signify  
6 by saying aye.

7 MS. EVANS: Aye.

8 MR. ROGAN: Aye.

9 MR. JOYCE: Aye.

10 MR. MCGOFF: Aye.

11 MR. LOSCOMBE: Aye.

12 MS. EVANS: Opposed? The ayes  
13 have it and so moved.

14 MS. KRAKE: 5C. AUTHORIZING THE  
15 MAYOR AND OTHER APPROPRIATE CITY  
16 OFFICIALS TO ENTER INTO A CONTRACT FOR  
17 PROFESSIONAL SERVICES WITH NORTHEAST  
18 REVENUE SERVICES, LLC AND  
19 CAVERLY, SHEA, PHILLIPS AND RODGERS,  
20 LLC FOR THE COLLECTION OF DELINQUENT  
21 REAL ESTATE TAXES FOR THE  
22 COLLECTION YEARS 2004, 2005, 2006,  
23 2007 AND 2008.

24 MS. EVANS: At this I'll  
25 entertain a motion that Item 5C be

1 introduced into its proper committee.  
 2 MR. ROGAN: So moved.  
 3 MR. JOYCE: Second.  
 4 MS. EVANS: On the question?  
 5 MR. MCGOFF: Yes. This seems to  
 6 be a somewhat confusing bit of  
 7 legislation and also the purpose of  
 8 it, there's some confusion there. I  
 9 would like to vote for -- to introduce  
 10 it but I think before it moves any  
 11 further that we should look to have a  
 12 caucus with Mr. McGowan and perhaps,  
 13 you know, people involved with the  
 14 Northeast Revenue Services to see  
 15 exactly what the purpose of this is  
 16 and, you know, what the plans are and  
 17 how it's going to be proceed  
 18 especially for, you know, the 2007 and  
 19 2008 years and I know it's also  
 20 mentioned in the backup that they have  
 21 offered to collect 2009 delinquent  
 22 taxes without fees. So I just would  
 23 like to know more about it before we  
 24 would, you know, move any further  
 25 than, you know, introduction.

1 MS. EVANS: We can certainly do  
 2 that.  
 3 MR. ROGAN: I would also say  
 4 there's -- I'm going to vote no only  
 5 because in the past we've had a lot of  
 6 problems with having delinquent taxes  
 7 collected. For instance, NCC, if you  
 8 look through the last five year --  
 9 well, the last multiple years of  
 10 council meetings, I moved that NCC has  
 11 been brought up every year. I think  
 12 the purpose of having a Tax Office is  
 13 to collect taxes. This company,  
 14 Northeast Revenue Services will take  
 15 15 percent of revenue which doesn't  
 16 seem like a huge amount to do the  
 17 collections. I am open to persuasion  
 18 but normally I would vote yes like Mr.  
 19 McGoff said on the first vote to move  
 20 it along but given the city's history  
 21 with companies of these sorts, it's  
 22 going to take a lot to convince me to  
 23 vote yes for this.  
 24 MS. EVANS: I think probably what  
 25 exacerbated that situation because I'm

1 probably the person that you're  
 2 alluding to who brought it up year  
 3 after year after year going back to  
 4 the year 2004, 2005. The big issue I  
 5 think from 2007 going forward have  
 6 been those 23 additional costs, fines,  
 7 et cetera, that were attached to the  
 8 collection -- the face value of  
 9 collection of the delinquent taxes and  
 10 having spoken at length with our  
 11 solicitor about that topic, he felt  
 12 that that certainly should not have  
 13 been the case, that it may -- those  
 14 types of additions may have been in  
 15 violation of law. And so at least  
 16 with the new company, Northeast  
 17 Revenue Services, that type of  
 18 agreement is not going to be part of  
 19 this. There will not be those 23  
 20 additional fees, costs, et cetera  
 21 attached to this. That's not to  
 22 defend it, but I'm just explaining  
 23 that, you know, already we seem to  
 24 have taken a step forward in that.  
 25 That has been eliminated. Council

1 will not allow that to recur. But I  
 2 do agree with Mr. McGoff that it's  
 3 certainly a good idea to bring in all  
 4 of the parties for a public caucus. I  
 5 can tell you as well that our  
 6 solicitor is going to be reviewing the  
 7 legislation very carefully, and I  
 8 anticipate that it is very likely that  
 9 council will be amending this  
 10 legislation before it is legally and  
 11 lawfully adopted.  
 12 MR. MCGOFF: And just to add. I  
 13 don't think we have done a good --  
 14 we've just talked about the problems  
 15 that, you know, the Treasurer's Office  
 16 is having with personnel and doing the  
 17 jobs that they have now and collection  
 18 of delinquent taxes is something that  
 19 I don't think that they're equipped to  
 20 do or have the personnel to do which  
 21 is why I think it's -- we need to look  
 22 at something of this nature.  
 23 MS. EVANS: Actually as of the  
 24 budget this year, that's exactly where  
 25 its at meaning, I believe, we amended

<p style="text-align: right;">142</p> <p>1 the legislation so that the Single Tax  2 Office was collecting 2010  3 delinquencies and then 2009 and prior  4 was going to be collected at the  5 Treasure's Office and basically we  6 thought the removal of 2010 would make  7 it easier for the Treasurer's Office  8 and hopefully since the tax collector  9 has that traffic in and out of his  10 office for current payments, it would  11 encourage payments with that type of  12 in your face reminder that you owe  13 2010 to increase those revenues. So I  14 think, you know, what you're saying is  15 correct in that we're finding it's  16 very difficult right now at least for  17 the Treasurer's Office to assume the  18 collection of all those years of  19 delinquencies, you know, at least  20 until I think they would have more  21 help and would be more familiar with  22 the process.</p> <p>23 MR. ROGAN: I would just add when  24 we have the caucus if we can invite  25 our tax collector as well because if</p>	<p style="text-align: right;">144</p> <p>1 not comply with the law and would  2 impose any fees that are not permitted  3 by law, it would be my opinion to  4 council that it should be vetoed. The  5 legislation that's being introduced  6 tonight, I've reviewed it, it complies  7 with the Tax Delinquent Act, there's  8 none of the fees in there that NCC was  9 charging. It also does not include  10 the sheriff's sale of any property.  11 So this is really a collection and  12 that's a discussion for another time  13 as to whether council wants to  14 authorize the public sale of property  15 for taxes. But that is not included  16 in this legislation and that is why  17 instead of all fees being added on,  18 that the collection agency, that they  19 are receiving 15 percent of the taxes  20 that are collected.</p> <p>21 MS. EVANS: Thank you, Solicitor  22 Hughes. Anyone else on the question?  23 MR. JOYCE: I'll just say that I  24 echo some of the same concerns that  25 Mr. McGoff and Mrs. Evans brought up</p>
<p style="text-align: right;">143</p> <p>1 they could do it out of the Tax  2 Office.</p> <p>3 MS. EVANS: Sure.</p> <p>4 MR. ROGAN: Obviously I don't  5 know. I know he's doing a great job  6 with his job. I don't know if he  7 wants to take on more work but, you  8 know, just whatever is the best option  9 is for the taxpayers and we wouldn't  10 lose the 15 percent.</p> <p>11 MR. HUGHES: Madame President, I  12 would state in accordance with the  13 comments of council, I did tell  14 Attorney Kelly that any legislation  15 that was submitted to collect  16 delinquent taxes if it was set up  17 sooner to NCC would not pass council.  18 Any collector of taxes whether they --  19 the taxes are sold outright, without  20 recourse or whether the city uses a  21 tax collector, those people stand in  22 the shoes of the city. They can only  23 impose the fee by law that the City of  24 Scranton can impose. I told them any  25 legislation that came down it would</p>	<p style="text-align: right;">145</p> <p>1 and I think Mr. Rogan also brings up a  2 viable point with the Tax Office as  3 well. So it would be best to have a  4 caucus in here with our business  5 administrator and the parties  6 involved. That's all.</p> <p>7 MS. EVANS: And to include Mr.  8 Courtright, please.</p> <p>9 MS. EVANS: All those in favor of  10 introduction, signify by saying aye?  11 MS. EVANS: Aye.  12 MR. JOYCE: Aye.  13 MR. MCGOFF: Aye.  14 MR. LOSCOMBE: Aye.  15 MS. EVANS: Opposed?  16 MR. ROGAN: No.  17 MS. EVANS: The ayes have it and  18 so moved.</p> <p>19 MS. KRAKE: 5D. APPOINTMENT OF  20 WAYNE HILLER, 303 SEYMOUR AVENUE,  21 SCRANTON, PENNSYLVANIA, 18505, TO THE  22 BOARD OF THE SCRANTON PARKING  23 AUTHORITY FOR AN ADDITIONAL FIVE (5)  24 YEAR TERM. MR. HILLER'S CURRENT TERM  25 WILL EXPIRE ON JUNE 1, 2011 AND HIS</p>

1 NEW TERM WILL EXPIRE ON JUNE 1, 2016.  
 2 MS. EVANS: At this time I'll  
 3 entertain a motion that Item 5D be  
 4 introduced into its proper committee.  
 5 MR. ROGAN: So moved.  
 6 MR. JOYCE: Second.  
 7 MS. EVANS: On the question? All  
 8 those in favor of introduction signify  
 9 by saying aye.  
 10 MS. EVANS: Aye.  
 11 MR. ROGAN: Aye.  
 12 MR. JOYCE: Aye.  
 13 MR. MCGOFF: Aye.  
 14 MR. LOSCOMBE: Aye.  
 15 MS. EVANS: Opposed? The ayes  
 16 have it and so moved.  
 17 MS. KRAKE: 5E. APPOINTMENT OF  
 18 ARIANNE N. SLOCUM, 2104 NORTH  
 19 WASHINGTON AVENUE, SCRANTON,  
 20 PENNSYLVANIA, 18509, TO THE CIVIL  
 21 SERVICE COMMISSION EFFECTIVE JANUARY  
 22 14, 2011. MS. SLOCUM WILL BE  
 23 REPLACING REV. REGINALD MCLAIN, WHO  
 24 RESIGNED EFFECTIVE JANUARY 13, 2011.  
 25 MS SLOCUM'S TERM WILL EXPIRE WITH THE

1 TERM OF MAYOR CHRISTOPHER A.  
 2 DOHERTY.  
 3 MS. EVANS: At this time I'll  
 4 entertain a motion that Item 5E be  
 5 introduced into its proper committee.  
 6 MR. ROGAN: So moved.  
 7 MR. JOYCE: Second.  
 8 MS. EVANS: On the question?  
 9 MR. MCGOFF: Just briefly.  
 10 Perhaps council could send a letter to  
 11 Rev. McLain thank him for his service.  
 12 MS. EVANS: Absolutely.  
 13 MR. JOYCE: I agree. Absolutely.  
 14 MS. EVANS: Thank you, Mr.  
 15 McGoff.  
 16 All those in favor of  
 17 introduction signify by saying aye.  
 18 MS. EVANS: Aye.  
 19 MR. ROGAN: Aye.  
 20 MR. JOYCE: Aye.  
 21 MR. MCGOFF: Aye.  
 22 MR. LOSCOMBE: Aye.  
 23 MS. EVANS: Opposed? The ayes  
 24 have it and so moved.  
 25 MS. KRAKE: 5F. APPOINTMENT OF

1 MRS. CAROL OLESKI, 1124 ROCK STREET,  
 2 SCRANTON, PENNSYLVANIA, 18504 AS A  
 3 MEMBER OF THE SCRANTON  
 4 MUNICIPAL RECREATION AUTHORITY TO  
 5 SERVE THE UNEXPIRED TERM OF JAMES  
 6 MCDONNELL THROUGH DECEMBER 31, 2013.  
 7 MS. EVANS: At this time I'll  
 8 entertain a motion that Item 5F be  
 9 introduced into its proper committee.  
 10 MR. ROGAN: So moved.  
 11 MR. JOYCE: Second.  
 12 MS. EVANS: On the question? All  
 13 those in favor of introduction signify  
 14 by saying aye.  
 15 MS. EVANS: Aye.  
 16 MR. ROGAN: Aye.  
 17 MR. JOYCE: Aye.  
 18 MR. MCGOFF: Aye.  
 19 MR. LOSCOMBE: Aye.  
 20 MS. EVANS: Opposed? The ayes  
 21 have it and so moved.  
 22 MS. KRAKE: 5G. APPOINTMENT OF  
 23 JOSEPH A. MURPHY, 610 DEPOT STREET,  
 24 SCRANTON, PENNSYLVANIA 18509, AS A  
 25 MEMBER OF THE SCRANTON CITY PLANNING

1 COMMISSION TO SERVE THE UNEXPIRED TERM  
 2 OF THOMAS PREAMBO. MR. MURPHY'S TERM  
 3 WILL BE EFFECTIVE MARCH 22, 2011  
 4 THROUGH DECEMBER 31, 2015.  
 5 MS. EVANS: At this time I'll  
 6 entertain a motion that Item 5G be  
 7 introduced into its proper committee.  
 8 MR. ROGAN: So moved.  
 9 MR. JOYCE: Second.  
 10 MS. EVANS: On the question? All  
 11 those in favor of introduction signify  
 12 by saying aye.  
 13 MS. EVANS: Aye.  
 14 MR. ROGAN: Aye.  
 15 MR. JOYCE: Aye.  
 16 MR. MCGOFF: Aye.  
 17 MR. LOSCOMBE: Aye.  
 18 MS. EVANS: Opposed? The ayes  
 19 have it and so moved.  
 20 MS. KRAKE: Sixth Order, no  
 21 business at this time.  
 22 Seventh Order, 7A. FOR  
 23 CONSIDERATION BY THE COMMITTEE ON  
 24 FINANCE FOR ADOPTION-RESOLUTION NO.1,  
 25 2011(AS AMENDED)- AUTHORIZING THE

1 MAYOR AND OTHER APPROPRIATE CITY  
 2 OFFICIALS TO EXECUTE AND ENTER INTO A  
 3 CONTRACT, NOT TO EXCEED THE SUM OF ONE  
 4 DOLLAR, (\$1.00), WITH KNOWLES  
 5 ASSOCIATES, L.L.C., FOR INSURANCE  
 6 BROKERAGE SERVICES FOR INSURANCE WITH  
 7 GREAT AMERICAN, CNA, INDIAN HARBOR  
 8 INSURANCE COMPANY/XL INSURANCE,  
 9 PHILADELPHIA INDEMNITY INSURANCE  
 10 COMPANY, ARCH INSURANCE COMPANY AND  
 11 NAUTILUS INSURANCE COMPANY FOR CITY  
 12 INSURANCE COVERAGES FOR THE  
 13 PERIOD JANUARY 1, 2011 THROUGH JUNE  
 14 30, 2011 AND TO RATIFY ANY AND ALL  
 15 ACTIONS AND SERVICES PERFORMED SINCE  
 16 THE EXPIRATION OF THE PRIOR INSURANCE  
 17 CONTRACT.

18 MS. EVANS: This is a motion to  
 19 override or sustain the mayor's veto.  
 20 What is the recommendation of the  
 21 chairperson for the committee on  
 22 finances?

23 MR. JOYCE: As chairperson for  
 24 the Committee on Finance, I recommend  
 25 that city council override the mayor's

1 veto of Item 7A as amended.

2 MR. ROGAN: Second.

3 MS. EVANS: On the question?

4 MR. MCGOFF: I guess what I would  
 5 like to know if the work of Knowles --  
 6 if Knowles Associates has basically  
 7 completed the brokerage work for the  
 8 year and whether the premiums for  
 9 these insurances have been paid for  
 10 the entire year.

11 MS. EVANS: Well, they may have  
 12 been but in that event they can be  
 13 refund to the city as you do when you  
 14 pay any of insurances and you change a  
 15 company, you receive a reimbursement  
 16 check.

17 MR. LOSCOMBE: It's prorated.

18 MS. EVANS: Pardon?

19 MR. LOSCOMBE: The insurance  
 20 would be prorated. There's only a 25  
 21 percent earned which means anything  
 22 after three months is refunded and  
 23 we're beyond the three months.

24 MR. ROGAN: I would just like to  
 25 jump in by saying regardless of

1 whether you agree or disagree with the  
 2 legislation, I think Attorney Hughes  
 3 hit the nail on the head that the  
 4 mayor only has ten days to veto a  
 5 piece of legislation and, you know,  
 6 this was done months later. It wasn't  
 7 even really a veto. He just struck  
 8 his name out, wrote rescinded on it.  
 9 I was on the phone with Mrs. Evans and  
 10 Attorney Hughes for a length of time  
 11 trying to understand this. It's  
 12 something that's probably never  
 13 happened ever in the city.

14 MS. EVANS: Not to my knowledge.

15 MR. ROGAN: So it's not a, you  
 16 know, standard we pass legislation,  
 17 the mayor vetoed it, ten days later  
 18 it's back in front of us. This is  
 19 something that happened four months  
 20 ago and it was filed of Council No. 1.

21 MS. EVANS: Yes, No. 1 of 2011.

22 MR. ROGAN: No. 1 of 2011. So  
 23 this isn't something that was passed  
 24 two weeks ago. And just as a  
 25 procedure, the mayor was -- he was out

1 of line by striking his name. You  
 2 sign the legislation, the ten days is  
 3 up, it becomes law whether we vote --  
 4 no matter how this vote goes, the law,  
 5 it still passed.

6 MS. EVANS: Yeah. That's a very  
 7 good point.

8 MR. HUGHES: I don't want to  
 9 belabor the point. The only thing is  
 10 just -- it appears that the mayor by  
 11 rescinding his signature four months  
 12 later when he should have just signed  
 13 it because that's what he would do  
 14 with the original ordinance is vetoing  
 15 the legislation. He's withdrawing his  
 16 signature. He's rescinding it which  
 17 means that he right now is vetoing it  
 18 so, therefore, I think the only way  
 19 you can treat it is as a veto and it  
 20 can't be done. It's like an ex post  
 21 facto -- I don't know ex post facto  
 22 law but that applies to only criminals  
 23 but making a crime something, you  
 24 know, instead of the legislation  
 25 acting prospectively, it's retroactive

1 and you're saying, hey, back then it  
 2 was legal and now it's illegal. So, I  
 3 mean, it's a bad analogy with the ex  
 4 post facto law but, you know, the  
 5 thing here is is that I believe what  
 6 he's trying to do is saying is I'm  
 7 rescinding my signature and I'm  
 8 vetoing the legislation four months  
 9 later after he can do it. So I  
 10 believe that it is in order to  
 11 override his veto which is really  
 12 override his rescission which in  
 13 effect is a veto.

14 MS. EVANS: Thank you. Anyone  
 15 else on the question? Roll call,  
 16 please. Pardon?

17 MR. HUGHES: That's a lot of  
 18 double talk.

19 MS. EVANS: Well, I think the  
 20 fact of the matter is here this  
 21 shouldn't have happened. This cannot  
 22 be allowed to occur and it is never to  
 23 occur again in the future. And so,  
 24 you know, it's not meant to set any  
 25 precedent tonight but the mayor must

1 adjourned.

2 (Proceedings concluded at 9:25  
 3 p.m.)  
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1 understand that he cannot take such  
 2 action. It's -- he is inventing a law  
 3 or granting himself a power that he is  
 4 not given by law. So it has to end  
 5 tonight.

6 Anyone else on the question?  
 7 Roll call, please.

8 MS. CARRERA: Mr. McGoff?

9 MR. MCGOFF: Yes.

10 MS. CARRERA: Mr. Rogan?

11 MR. ROGAN: Yes.

12 MS. CARRERA: Mr. Loscombe?

13 MR. LOSCOMBE: Yes.

14 MS. CARRERA: Mr. Joyce?

15 MR. JOYCE: Yes.

16 MS. CARRERA: Mrs. Evans?

17 MS. EVANS: Yes. I hereby  
 18 declare and the mayor's veto of Item  
 19 7A, File of Council No. 1, 2011, as  
 20 amended legally and lawfully  
 21 overridden.

22 If there is no further business,  
 23 I'll entertain a motion to adjourn.

24 MR. JOYCE: Motion to adjourn.

25 MS. EVANS: This meeting is

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C E R T I F I C A T E

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me of the above-cause and that this copy is a correct transcript of the same to the best of my ability.

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Amelia Nicol  
Official Court Reporter